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**FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING
MINUTES
JULY 25, 1991**

TIME: 4:10 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Kim A. Zuber

MEMBERS ABSENT: R. Steven Hill and Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Simler called to order this Public Hearing of the Fort Wayne Redevelopment Commission.

ROLL CALL


Mr. Simler noted that Members R. Steven Hill, and Emily S. Kass were not present.

On the matter of appropriating the sum of \$22,600.00 to pay for additional public improvement costs in the West Main Street Urban Renewal Project Amended.

Mr. Fletcher explained that the \$22,600.00 of interest income from the proceeds of the 1978 bond issue will be applied to the costs of redevelopment activities within the West Main Street Urban Renewal Area, Amended, and also expenses necessarily incurred in connection with the proceedings.

Mr. Simler asked three times if there was anyone present who wished to speak for or against this Resolution. Hearing no response, Mr. Simler moved to adjourn the July 25th Public Hearing.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: August 21, 1991



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FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION
AUGUST 21, 1991

TIME: 3:30 P.M.

PLACE: Shearson Lehman Brothers, Inc.
One Summit Square - Conference Room

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill,
Kim A. Zuber, Emily S. Kass,
Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Simler called to order this Executive Session of the Fort Wayne Redevelopment Commission.

ROLL CALL


All Commission Members were present

Discussion of strategy reference to initiation of litigation 5-14-1.5-6 (b) (2) (B) and purchase or lease of real property 5-14-1.5-6 (b) (2) (D)

The Commission and staff briefly discussed the above referenced issues and adjourned.

On a motion by Mr. Simler, second by Mr. Zuber, the Commission adjourned the Executive Session of the Fort Wayne Redevelopment Commission.

FORT WAYNE REDEVELOPMENT COMMISSION


Benjamin A. Eisbart, Secretary

ADOPTED: November 13, 1991

FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
AUGUST 21, 1991

TIME: 4:30 P.M.

PLACE: Shearson Lehman Brothers, Inc.
One Summit Square - Conference Room

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
R. Steven Hill, Kim Zuber, Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Steve Wesner, Goldstine, Inc.
Daniel Comm, Sherlock on Baker Street
Shop owners located on the Calhoun St. Mall

CALL TO ORDER

Mr. Simler called to order this Regular Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

All Commission Members were present.

APPROVAL OF CLAIMS

Mr. Eisbart made a motion to approve the July 1991 Claims, second by Mr. Hill.

APPROVAL OF MINUTES

Mr. Zuber made a motion to approve the July 1991 Minutes, second by Mr. Eisbart.

OLD BUSINESS

No old business to discuss at this time.

NEW BUSINESS

Resolution 91-55

Approving Baker Street Station Development Agreement

Daniel Comm provided the Commission with his financial statements, and references, which was requested at a previous meeting. The Commission examined the documentation, and briefly went over some concerns they had regarding Mr. Comm's experience in the renovation of a historic building. Mr. Comm was asked what additional assurances he could provide to assure completion of the project after Commission funds were expended. Mr. Comm gave no assurances. The Commission also expressed a concern with respect to Mr. Comm's ability to finance the project.

On a motion by Mr. Hill, second by Mr. Eisbart, the Commission agreed to reject Resolution 91-55.

Resolution 91-56

Approving the Commission's budgets for 1992

Mr. Fletcher explained to the Commission that the 1992 budget will be pretty much consistent with this years budget, with the exception of a \$1,000 increase, which is due to the 5% increase in City employee salaries for 1992. Mr. Fletcher went on to explain the reason for reductions in other categories. The General budget is in the amount of \$212,704.00. The Capital budget is in the amount of \$840,000.00. Commission asked that the record show that Commission Member Emily Kass was not present during this vote.

After a brief discussion Mr. Eisbart made a motion to approve Resolution 91-56, second by Mr. Zuber.

Resolution 91-57

Approving an Agreement with Murphy & Associates, Inc.

Mr. Fletcher informed the Commission that he has been working with George Huber, with Murphy & Associates for the past 6 to 10 months with respect to the G.C. Murphy Building located on the Calhoun Street Mall. Mr. Fletcher briefly explained to the Commission, and property owners on the Transit Mall how the G.C. Murphy Project ties into the Civic Center Urban Renewal Plan and why their properties are being affected. He stated that the properties are blighted and have blighted influence on surrounding properties.

George Huber presented to the Commission and interested parties the proposed drawings of the INB Center and Parking Garage. The INB Center will be occupying approximately 20,000 sq. ft. in the building. INB will also occupy the lower level, and a portion of the first and second floors. Murphy & Associates have negotiated a contract with Schenkel and Schultz Engineers to occupy the entire fourth floor of the INB Center.

Commission Member Eisbart asked if the project could be done without the parking garage. Mr. Huber replied no, the parking garage is necessary in order for INB and Schenkel and Schultz to come back to the downtown area. Mr. Wernet added that there is a requirement when new office space is being built under the zoning codes you must provide a designated number of spaces per square foot. Mr. Huber projects that the demolition will begin in the fall, either October or November of 1991 and completion of the project is estimated to be April 1993. Mr. Fletcher added that the Redevelopment Commission will be contributing \$2 Million to the project, which will be used mainly for acquisition/demolition/public improvements.

Mr. Eisbart expressed his concerns in regards to the existing property owners in the district that not be subjected to penalties because of the TIF District and proposed TIF Bond. Mr. Fletcher noted that staff is working to make this transition as easy as possible for everyone involved.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-57 was approved.

*Mr. Wernet informed the public that this was not a public meeting and that comments for or against the proposed project would be discussed in a public forum, and that the property owners affected would be contacted by mail informing them of the next public hearing.

Resolution 91-58

Declaratory Resolution Amendment VII Civic Center Urban Renewal Area

Mr. Fletcher informed the Commission that a plan was prepared as it relates to this particular area, being the Civic Center Urban Renewal Plan. Mr. Fletcher went on to say that once the property has been determined to be blighted and deteriorated and a menace to the social and economic interests of the city and its inhabitants, according to the Redevelopment of Blighted Areas Act of 1981, it will be of public utility and benefit to redevelop the area. The Redevelopment Commission will acquire all

of such land after the public hearing and the adoption of a Confirmatory Resolution by the Commission. Mr. Fletcher outlined the areas in which cessation of growth, lack of development, and deterioration of the property has occurred. As a result of such investigations, studies, and surveys, staff recommends amending the Civic Center Urban Renewal plan expanding the area. The amendment will also amend the tax allocation area for TIF Bond purposes.

On a motion by Mr. Hill, second by Mr. Eisbart, Resolution 91-58 was approved.

Resolution 91-59

Anticipating issuing tax exempt bonds for the Illinois/Getz Road Economic Development Area

Mr. Fletcher explained to the Commission that it is anticipated that the necessary public financing for the acquisition and redevelopment will be from the issue of tax exempt bonds repayable from tax increment revenues from the Illinois/Getz Road Economic Development Area. The City will do the acquisition of real estate and the City and Redevelopment will redevelop the area which includes the widening of Getz Road, and other public improvements. The estimated cost for public improvements is approximately \$1,200,000. Staff anticipates that there will be expenditures that will occur prior to the issuance of the bonds. Staff recommends reimbursing the preliminary expenditures paid from the City and/or Commission funds prior to the issuance of the bonds with bond proceeds.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-59 was approved.

Resolution 91-60

Approving the Apple Glen Development Agreement

This Resolution represents an agreement negotiated between the City and staff, the Commission Attorney and the developer. The developer will finance the construction of the Apple Glen Facility, along with other capital, infrastructure and landscaping improvements. The developer has proposed that the project be developed in phases, with the first phase being the construction of a Wal-Mart store. In addition to the improvements to be undertaken and financed by the developer, the City anticipates undertaking various off-site improvements as part of the agreement. It is anticipated that tax exempt bonds repayable from tax increment revenue in the Apple Glen Economic Development Area will fund the redevelopment public projects in the area. Staff recommends that reimbursing preliminary expenditures paid from the City and/or the Commission funds prior to the issuance of the bonds with bond proceeds. Apple Glen investors has agreed to purchase the necessary TIF bonds from the Redevelopment Commission in order to make funds available to complete the off-site improvements. After a brief discussion, the Commission moved to approve Resolution 91-60.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-60 was approved.

Amend Goldstine, Inc. Exclusive Listing

Mr. Fletcher reminded the Commission at a previous meeting Goldstine's Exclusive Listing was approved. This recommendation to approve did not include the Jefferson House. Staff is requesting to include the Jefferson House in the Exclusive Listing.

On a motion by Mr. Zuber, second by Mr. Eisbart, the Commission unanimously approved including the Jefferson House as part of the Goldstine, Inc. Exclusive Listing.

Summit Industrial Park Water Fountain

Mr. Fletcher informed the Commission that a water pump at Summit Industrial Park is in need of repairs, it will cost approximately \$1,300 to repair, and is requesting the approval of the Commission. After a brief discussion, the Commission agreed to repair the water pump at Summit Industrial Park. Staff noted that a Resolution will be presented at the next scheduled meeting.

Salad Galley - New Retail Tenant

The owner of the Salad Galley Restaurant addressed the Commission with concerns that may potentially effect his business once Salad Galley moves into Midtowne Crossing. The owner felt that with demolition and construction of the INB Center and Parking Garage that pedestrian traffic will not want to maneuver around the trucks and construction in order to eat at his restaurant. The new tenant was concerned that Wayne and Calhoun Streets could be closed for a period of time. It was also mentioned that during the period Midtowne Crossing was being constructed none of the shop owners had to close their establishments due to the construction of Midtowne. The Commission and staff assured the new tenant that they intend to do all that they can to prevent lack of business to any new owners locating in the Midtowne Crossing Project.

Designated Commission Meeting Date

Ms. Kass has requested that a designated meeting time each month be scheduled. The Commission discussed the most convenient days to meet, and decided the second Monday of each month would be the most convenient. Staff has been asked to make the necessary arrangements.

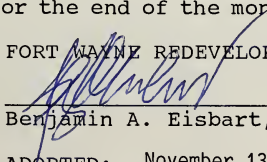
Midtowne Crossing Vanilla Box

Mr. Fletcher and the Commission discussed the retail vanilla box build-out concept, and the \$150,000 allowance needed for the vanilla box to some of the units at Midtowne Crossing. The Commission approved the suggestion by staff to provide the vanilla box to the units that had currently an offer to lease. After a brief discussion, Mr. Simler moved to approve developing certain units at Midtowne Crossing consistent the recommendations of staff. The motion was second by Mr. Zuber.

Midtowne Crossing Sales Update

Jim Lindsay reported to the Commission that sales at Midtowne have increased. Since the last meeting one non-historic agreement has been signed, and the first lease has been signed. There are four closings scheduled for the end of the month for the historic units.

FORT WAYNE REDEVELOPMENT COMMISSION


Benjamin A. Eisbart, Secretary

ADOPTED: November 13, 1991

FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING TRANSCRIPT
SEPTEMBER 9, 1991

TIME: 3:30 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill, Kim A. Zuber, Emily S. Kass

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay, Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Simler called to order this Public Hearing of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Member Benjamin A. Eisbart was not present during this Public Hearing.

Public Hearing Reference to Declaratory Resolution 91-58, Amending the Civic Center Urban Renewal Plan and Allocation Area.

Mr. Simler: "I wish to open the public hearing of the Fort Wayne Redevelopment Commission noting that the time is 3:34 with the published time of 3:30 apologize for the little delay we are looking for one more member. We do have a quorum present of five members of the commission, three are present, Emily Kass, Steven Hill, George Simler. Missing at present are Mr. Eisbart and Kim Zuber. Little comment as to the ground rules today since we have several folks in attendance, can I have just a show of hands, I am not going to count this, I just want to get a general idea of all those who wish to speak today. Can you get your hands up kind of high, so that I can get kind of a handle on this. That is probably thirty - is that a good guess? Maybe twenty. Okay, thank you. So we have a lot of people who wish to speak today. I am going to ask that everyone to limit their time to a maximum of five minutes per person speaking - they may ask for additional time if there is something of a presentation nature that has to be presented. Lets stay with that kind of a schedule hopefully you will stay a little more brief than that, so we can move on. When you speak I ask that you come to the front of the room, this session is being recorded. I would like for you to give your name and address when you come up, so that we have it on record. I ask that there not be any demonstrations, all demonstrations do is delay the proceedings. When you are speaking, please speak to the commission to the chair to the commission, and not try to get involve one another. If you want to do that, please take it outside. Way outside, not just outside the door. We will have the following order; we will have a presentation by our staff members, then we will have those persons who wish to speak in opposition. By the way, I guess I should've announced, in case you haven't heard, this has to do with the matter of Amendment Seven of the Civic Center, Urban Renewal Plan. Those who wish to speak against the project will follow the comments of the Commission members, then we will have those who wish to speak in favor, at the end to rebut, in which those things that have been said and then at the end of that we will allow any miscellaneous comments which may effect the - neither for or against - but relevant to the issue. We do ask that you stay

relevant to the issue. Please do not get far field. The question has been asked what is germane and what is not, I am going to have to ask the attorney next to me, John Wernet, for advice in those cases where I feel that the comments don't apply here. We will try to be as understanding as possible. With that, I would like to get started. By the way Kim Zuber is here, please let the record show that we now have four members present. With that I would like to have the presentation of the staff to find out where we are."

R. David Boyer: "Mr. Chairman we'll do the presentation in the form of questions and answers as the commission the Commission attorney I will interrogate the various members of staff to make the record. My name is David Boyer for the record. I will first call on Mr. Fletcher. Will you please state your full name and occupation Mr. Fletcher."

Ron Fletcher: "My name is Ron Fletcher, I am the Executive Director of the Fort Wayne Redevelopment Commission, I have been employed by the Fort Wayne Redevelopment Commission for a little over eight years. Prior to the eight years I was employed as a Executive Director of a Multi County Regional & Planning Commission and held that position for a little over eight years. I have a BS degree from Indiana University with courses toward an MBA. I have continued my education through the various seminars, etc. as relates to planning and also redevelopment activity. I am a real estate broker, and I have been for the last ten years. I have been involved in taking courses, four of the seven courses to qualify me as a member of the appraisal institute. I continue go toward that MBI course for appraisers."

R. David Boyer: "What is the general description of your duties as director of Redevelopment for the Fort Wayne Area?"

Ron Fletcher: "My general duties, is to assist the Commission in forming goals and objectives of the Redevelopment area. To explore blight in certain areas of the City. To work with consultants as relates to developing plans, objectives, and goals for the redevelopment for the City of Fort Wayne. Which includes the district of the Redevelopment Commission."

R. David Boyer: "And were you involved in developing the boundaries of the district that is proposed to be added to the Central Business District Redevelopment Area of this amendment?"

Ron Fletcher: "Yes, I was involved in it. Presently, there is approximately, seven blocks involved in the present Civic Center Urban Renewal Area. I will go over to the map to point those out. It includes this particular area here, the amended area is a small portion just north of the Midtowne Crossing Project. Including a quarter block which is in question right now and including the Murphy project. The area that we are talking about is approximately , like I said, seven blocks, eight thousand seven hundred and twenty square feet. The one half block we are talking about here is approximately sixty one thousand five hundred. This area is approximately 7.5% of the total Urban Renewal Area."

R. David Boyer: "So it is an addition of 7.5% of the area."

Ron Fletcher: "Yes."

R. David Boyer: "You are familiar with those boundaries, can you say with certainty that those boundaries lie within the City of Fort Wayne and County of Allen?"

Ron Fletcher: "Both boundaries do lie within the City of Fort Wayne and is in the jurisdiction of the Fort Wayne Redevelopment Commission."

R. David Boyer: "Thank you."

Ron Fletcher: "I would like to mention also for the record, that proper notice was given as far as notice to the land owners as well as the association in the effected Civic Center Urban Renewal Area. It was published in two newspapers at least ten days prior to this public hearing. "

George Simler: "Ron, excuse me, both of you, may I suggest we move those charts over against that back wall so that the people over there in the corner will also be able to see it and also the Commission Members."

R. David Boyer: "So that the people can see the chart now have an idea what we are talking about. For the record the amendment area, for amendment seven is the green shaded area on a large plat of downtown Fort Wayne titled Civic Center Urban Renewal Area which will later be offered as Exhibit A to this proceeding. In your capacity as Director of Redevelopment did you work with staff in developing the data in which you make the conclusions that we should take this step?"

Ron Fletcher: "Yes, part of the planning process is number one, you do your surveys, data collections, determine if the area is blighted, and the problem within the area. I worked with one of the staff members, Mr. Loren Kravig, to do the surveys and documentation and develop the data pertaining to the Declaratory Resolution. Which will be more specific as relates to proving the blight, cessation of growth, and lack of development. After that was developed there was the Urban Renewal Plan, which directly relates to that data and expands the present plan to include that particular urban renewal area. And of course the plan is to do acquisition on the former block plus approximately lot 128 and back and so on. Demolition and site preparedness and offers for settlement of development."

R. David Boyer: "Thank you. Mr. Fletcher. If it will please the Commission in order to preserve the logical flow of information I would like to now let Mr. Fletcher rest with the right to recall him later."

George Simler: "Certainly, go ahead."

R. David Boyer: "Mr. Kravig, will you state your name and employment to the Commission."

Loren Kravig: "My name is Loren Kravig. I am employed as a Redevelopment Specialist for the Fort Wayne Redevelopment Commission."

R. David Boyer: "Could you tell the Commission your background?"

Loren Kravig: "I have been employed by the Commission for about the past one year and seven months. Before that I was employed by the Licking County Planning Commission in Ohio. I've got a Bachelors Degree with a Major in history from Ohio State University. And a Masters Degree in City Planning from Ohio State University. I am also a licensed real estate agent in the State of Indiana."

R. David Boyer: "And how long have you been in planning activities both in Ohio and Indiana for a total?"

Loren Kravig: "It would come to a total of close to two years."

R. David Boyer: "And what would be your duties for the Fort Wayne Redevelopment Commission, with your present assignment?"

Loren Kravig: "As a Redevelopment Specialist it is my job to assist the director as needed, to gather data and perform analysis, to draft plans and studies of blighted ares within the city limits of Fort Wayne. To prepare other such documents as are needed for

such studies, and to administer the contracts that the Redevelopment Commission enters into to pursue its goals of redeveloping the City."

R. David Boyer: "In the course of your job were you given the assignment to develop data and work on urban renewal plan amendment for the area which has been described as amendment area seven?"

Loren Kravig: "Yes, I was."

R. David Boyer: "And could you give us a little thumbnail sketch of what all you did, in pursuing that assignment?"

Loren Kravig: "What I did is I went to the Indiana Code, Section 36-7-1-3 which defines blight as a lack of development, cessation of growth, character of occupancy, age and obsolescence, substandard buildings and deterioration of improvements. And given those guidelines I proceeded to gather data, to examine the area visually, to consult local experts in the real estate industry, and the City's Historic Preservation Staff, to review the records of the Wayne Township Assessor, to gather photographic evidence, and to prepare a study of blight in the area."

R. David Boyer: "Did you come to any conclusions, I am not asking you to tell your conclusions is now, but did you come to any conclusion in the pursuance of your duties?"

Loren Kravig: "Yes, I did."

R. David Boyer: "And did you cause a summary of your findings and conclusions to be prepared?"

Loren Kravig: "Yes, I did. I prepared a report entitled 'Data to Substantiate a Finding of Blight'."

R. David Boyer: "And I will be asking you some questions about some items in that area. One of the areas of blight you listed was lack development. Is vacancy rate consistent with a finding a lack of development?"

Loren Kravig: "In my judgement it is. I found the determined vacancy rate based upon Plat Maps of the City of Fort Wayne and visual observation. I calculated a vacancy rate using gross floor area for the northeast block - that is the block more commonly known as the G.C. Murphy block. A vacancy rate of 96% that is including all levels. First level, second, third, and fourth. I found a vacancy rate for the northwest block of 78%."

R. David Boyer: "Would it be instructive to have you step up to the exhibit to point these areas out to the Commission as you are talking?"

Ron Fletcher: "Loren, you want to go on up."

Loren Kravig: "This middle exhibit is a graphic representation of a store front vacancy within the area. It doesn't represent the second, third, or fourth story vacancies. However, I have that data available. This green shaded area represents the vacancies in the northeast block at the G.C. Murphy building here in its entirety. And a portion of the building just to the north, more commonly known as the former Shaver and Pen Center. The northwest block we have on the Calhoun Street frontage the former Eating Place, or Chens, at eight eighteen and eight twenty. Further down the street, the former Instant Copy Center. And then on the Wayne Street frontage sixty feet of store front vacancy formally known as Howards. The areas shaded in yellow are the areas currently occupied by businesses."

R. David Boyer: "Can you show - and we are talking only street

level, when we refer to store front."

Loren Kravig: "With respect to this exhibit."

R. David Boyer: "Okay, thank you. But the overall vacancies rate for the block are ninety six and seventy three percent respectively?"

Loren Kravig: "Ninety six and Seventy eight, and both of them taken together it amounts to a vacancy rate of eighty eight percent. Thank you."

R. David Boyer: "What are some other items you used to base the conclusion that you believe blight exists in the area? Can you elaborate on some of those?"

Loren Kravig: "Okay, with respect to character of occupancy. The businesses currently occupying the study are a wig shop, a tavern, a women's undergarment store, a title company, and four restaurants. I thought it was instructive to contrast these uses with the type of projects and developments that have occurred across the street at the southeast and southwest corners of Calhoun and Wayne. At the southeast corner of Calhoun and Wayne we have the One Summit Square Office Building. Constructed at a cost of \$50,000,000. They are currently in the process of undertaking a costly renovation and expansion of their landscaped plaza which also involved the demolition of the former NIPSCO building. At the southwest corner of Calhoun and Wayne is the approximately \$12,000,000 Midtowne Crossing Development Project. Involving class 'A' retail space, historic rehabilitation condominiums, and new construction condominiums. Also in the area the recently rehabilitated Patterson Fletcher Building, undertaken by both of its owners Mr. George Pappas and Summit Bank. And then down Calhoun Street to the north at the corner of Berry the recently rehabilitated Cunningham Optical Building that has been renovated for law offices. And approximately eight years ago I also included the improvements at the Calhoun Street Transit Mall at a cost of approximately \$3,000,000. Taking these multi million dollar developments in the vicinity it was my conclusion that the current uses found at the northwest corner of Calhoun and Wayne did not constitute the highest and best use of the land."

R. David Boyer: "One of the factors you have talked about in your study are age and obsolescence of the buildings. Would you describe those buildings to us, what you found in that regard?"

Loren Kravig: "With respect to age and obsolescence in consultation with the City's Historic Preservation Planner, and review of Wayne Township Assessors records I determined that the buildings in the area were all constructed in the mid to late nineteenth century and early twentieth century, and that no buildings have been designated as a local historic districts, and no buildings have been listed on the National Register of Historic Places."

R. David Boyer: "You are aware after this proceeding began two buildings were petitioned, is that correct?"

Loren Kravig: "That is correct."

R. David Boyer: "But at this present time when you say 'no buildings' - no buildings are presently listed with historic significance"

Loren Kravig: "That's correct."

R. David Boyer: "Is there anything about the buildings that or remodeling of the buildings or the nature of the improvements on the buildings now that led you to find cause to believe that blight exists?"

Loren Kravig: "Most of the buildings exhibit the effects of renovations. That the renovations themselves have greatly obscured whatever existed of historic value and architectural interest. Some of those later improvements have been removed revealing the fact that those additions, alterations, renovations resulted in damage to the buildings, such as those adhesive materials required to apply false facades and such things as the bricking up of second and third story windows. Other buildings have had significant architectural features entirely removed."

R. David Boyer: "Would you consider the buildings that are there what level of construction or condition would you consider them in connection with what is normally found in a downtown area?"

Loren Kravig: "In judging the condition of the buildings I relied upon a study which was conducted by the planning firm of Trkla, Pettigrew, Allen, & Payne, which was a part of the Downtown Comprehensive Plan and Development Strategy. That building condition survey, which was a survey of exterior building conditions, identified the northwest corner of Calhoun and Wayne as one of the blocks in the downtown in which 71-100% of the buildings were considered substandard or having major deficiencies."

R. David Boyer: "Based on your observations of the buildings themselves would you concur in that assessment?"

Loren Kravig: "I would concur in that assessment and go on to say that since that study was conducted there has been minimal investment in the area."

R. David Boyer: "Do you recall what the Trkla study recommended when you have a high degree of substandard buildings in an area, as a preferred method of redevelopment?"

Loren Kravig: "The Trkla study recommended that an area in which the buildings exhibit a high degree of deficiencies and deterioration that the area be cleared of its structures for redevelopment."

R. David Boyer: "Based on your analysis, your observation of the buildings, vacancy rates, and other items you've studied what is your conclusion as to the existence of blight?"

Loren Kravig: "In my opinion, given the definition of blight in the Indiana Code, the area identified as Amendment Seven to the Civic Center Urban Renewal Area is blighted."

R. David Boyer: "One thing we didn't have you tell is what is the age of these buildings in general? Can you pinpoint when they were constructed?"

Loren Kravig: "Again, in general, there are those buildings that were constructed not long after the Civil War. Others as recently as the early part of the twentieth century."

R. David Boyer: "But nothing under forty years? That's 1951."

Loren Kravig: "I cannot answer that question definitively. I do not know."

R. David Boyer: "Did there appear to be anything that new there? We are talking about the northwest corner."

Loren Kravig: "It did not appear to be."

R. David Boyer: "Okay, now in the course of your assignment are you also familiar with the downtown comprehensive plan, or the comprehensive plan for Fort Wayne, Indiana - which is a different document than the Trkla Study that you have already referred to, is that right?"

Loren Kravig: "Yes, I am familiar with that."

R. David Boyer: "And did you examine that in your preparation of documents for this Urban Renewal Area Amendment?"

Loren Kravig: "Yes, I did. In the course of preparing my study, I reviewed the entire Fort Wayne Comprehensive Plan in order to determine its compliance with the goals and objectives of this proposed amendment."

R. David Boyer: "Did you also consult with other agencies? Did you consult with other agencies and get a reading from them on whether the proposed development plan would comply with the comprehensive plan of the City of Fort Wayne?"

Loren Kravig: "Yes, I provided a copy of the Data to Substantiate Blight, along with a copy of the Urban Renewal Plan, to the Director of Planning of the City of Fort Wayne."

R. David Boyer: "In your opinion would it be economically feasible to renovate the majority of the structures in the Amendment Redevelopment Area for commercial use as opposed to razing the buildings?"

Loren Kravig: "Given the fact that the buildings have not been the target of any significant private investment in light of the millions of dollars of public and private investment that has occurred immediately adjacent to and very close to the project area, it's my opinion that it is not economically feasible, and that the property owners do not desire to make such investment, or are incapable to making such investment, or do not consider that such investment would reap dividends."

R. David Boyer: "And, with regard to compliance with the comprehensive plan, does not the comprehensive plan recommend support for additional offices in the core area of the community?"

Loren Kravig: "Yes, it does."

R. David Boyer: "And, would you consider this to be part of the core area?"

Loren Kravig: "I would consider this intersections to be the very heart of downtown Fort Wayne."

R. David Boyer: "And, is there not a further recommendation in the development plan, or the comprehensive plan, that talks about the distributional deficiency in downtown parking?"

Loren Kravig: "There is a segment of the downtown plan which refers to a distributional deficiency in the allocation of parking spaces."

R. David Boyer: "And this would address some of that differential deficiency as the amendment is proposed, is that your opinion?"

Loren Kravig: "The development project as proposed would directly address that problem."

R. David Boyer: "There is another area of the plan which talks about street level commercial space along Calhoun Street, is that honored to the extent possible in this amendment plan?"

Loren Kravig: "To the extent feasible, given the nature of the construction proposed at the northwest corner of Calhoun and Wayne, there is a provision for at least two retail outlets at the street level."

R. David Boyer: "You said reviewed Title 36, Chapter 7, the

Indiana Code in preparation for this, are you also familiar with the policy under that Redevelopment is to be carried out in such a manner as to encourage private investment in downtown?"

Loren Kravig: "Yes."

R. David Boyer: "And its hoped by this Redevelopment Commission Plan for the northwest corner to attract an additional amount of private investment, is that your understanding?"

Loren Kravig: "The goal is to provide the parking support that is needed for the renovation of the G.C. Murphy Building and the continued investment in other buildings in the immediate vicinity."

R. David Boyer: "The two million that the Redevelopment Commission would expend for this project would not be the entire cost of the parking garage, would it not?"

Loren Kravig: "It would not."

R. David Boyer: "Do you know the estimate cost of the parking garage?"

Loren Kravig: "No, I do not."

R. David Boyer: "But, whatever is over two million would be additionally funded by private investment, is that your understanding?"

Loren Kravig: "The only source for funds above and beyond the Redevelopment Commission's contribution would be private money."

R. David Boyer: "Thank you. Now the law says these amendments have to be reasonable and appropriate in considered in the relation existing Urban Renewal Plan. Could you give me some reason why you believe the plan is reasonable and appropriate?"

Loren Kravig: "I believe the project as proposed is reasonable and appropriate given the Urban Renewal Plan now in effect, because it complies with the general objectives as stated in the plan. Some of which, let me just take a moment to read aloud: 'One of the general objectives of the Civic Center Urban Renewal Plan is to support existing and proposed downtown development, like generating new activities, particularly in the evenings and on the weekends, to encourage rehabilitation of adjacent areas, to remove blighting influences and substandard obsolete structures which have an adverse effect on downtown development. To provide improved pedestrian and vehicular circulation. Adequate off street parking and loading facilities and improved accessibility to mass transit.' Those are just to name a few."

R. David Boyer: "The amended area is immediately adjacent to the existing area on one side, is this correct?"

Loren Kravig: "The proposed amendment borders the Civic Center Urban Renewal Area to the south."

R. David Boyer: "So that the extent blight exists there it is incompatible with the Redevelopment of the existing Civic Center Urban Renewal Area, would that be a fair statement?"

Loren Kravig: "I believe that is a fair statement and an accurate statement. The area is directly across the street from the Midtown Crossing Development and One Summit Square, which still not a Redevelopment Commission project, represents a significant private investment in the area. And the amended area contrasts markedly with the remainder of the Civic Center Urban Renewal Area."

R. David Boyer: "Thank you, Mr. Kravig. At this time, Ladies and

Gentleman of the Commission, I would like to offer into evidence for the record, Exhibit A, consisting of a map of the area which you will see at the end of the room. Exhibit B, a map of the vacant space at street level. Exhibit C, photos of the various buildings in the area. Exhibit D, to this volume the Downtown Comprehensive Plan and Development Study for Fort Wayne, Indiana. Prepared under the direction of the Trkla, Pettigrew, Allen, and Payne, and some others. 1986, Exhibit E, is the Comprehensive Plan for the City of Fort Wayne. Exhibit F, is the document prepared by Mr. Kravig, entitled 'The Data to Substantiate the Finding of Blight'. And, Exhibit G, is the Civic Center Urban Renewal Plan Amendment Number Seven. At this time it would be appropriate for anyone who cares to cross examine the Commission Staff to do so."

George Simler: "We will accept the Exhibits as entered."

R. David Boyer: "I would like to call one more witness now. Mike."

George Simler: "How much more time are you going to need there?"

R. David Boyer: "About five minutes. Mr. Simler"

George Simler: "Okay."

R. David Boyer: "Mike would you identify yourself to the Commission and tell what your employment is please."

Mike Sapp: "Yes, I am Mike Sapp. I am Planning Director for the City of Fort Wayne."

R. David Boyer: "And in your capacity did you have communication from the Redevelopment Commission Staff, concerning the appropriateness of the Civic Center Urban Renewal Amendment Seven? In connection and consideration of the Comprehensive Plan, did you examine that, the plans for compliance with the Comprehensive Plan?"

Mike Sapp: "Yes, I did."

R. David Boyer: "And did you reduce your findings to writing?"

Mike Sapp: "Yes, I did."

R. David Boyer: "Would you summarize those findings for the Commission, please."

Mike Sapp: "In general the whole project is in compliance with the Comprehensive Plan. Specifically in Section 3, where the plans sets forth a series of policies and strategy that are generic in nature. Specifically referencing downtown and the need for reinvestment, the need for public/private partnerships, and the need for the City to take a role in assembling land and providing off street parking. And other physical improvements."

R. David Boyer: "And do you have an the original of the document with you?"

Mike Sapp: "We have a copy here."

R. David Boyer: "Could we introduce the original here and make you a copy?"

Mike Sapp: "Sure."

R David Boyer: "I move to enter a document entitled, 'C&ED Memorandum to the Redevelopment Commission from Michael A. Sapp, Planning Director. Subject, INB Comprehensive Plan. Date, September 9, 1991. That would be Exhibit H'."

George Simler: "No motion necessary from our legal counselor, but I will accept it."

R. David Boyer: "Okay, thank you. Okay. We will rest and permit opponents some time to speak unless anyone wishes to cross examine any of the witnesses."

Emily Kass: "I've got one question, could you just reiterate again the position of the City's Historic Preservation department on that?"

Mike Sapp: "I think Loren touched on that, but I didn't."

R. David Boyer: "We don't know what, we only know that there has been no declaration of historic buildings in the area. There are two buildings that have petitioned after this preceding began that is set for review by the City on the eighteenth. We don't know what is going to happen then."

George Simler: "Did you at anytime have conversation with representatives from the Historic Preservation Board? What was indicated by your conversations, if you had any."

Loren Kravig: "I consulted the City's Historic Preservation Planner, Richard LaRowe, who is also staff to the Historic Preservation Review Board. I did so with the intention of determining what the status of the buildings was. This was some several weeks if not a few months ago. He gave me a map which indicated that no buildings were currently designated as local historic districts. No buildings were designated or listed on the Register of Historic Places. And approximately four buildings were either on the City's Cultural Resources Survey and or considered to be National Register eligible. And that map is still in my possession in the files of the Redevelopment Commission."

George Simler: "Did he express any opinions to you?"

Loren Kravig: "No he did not. Beyond saying that a couple of buildings had been altered to the point that they were no longer considered eligible."

George Simler: "Are there other questions of the staff here from Commission members? If not we will move into anyone here who wishes to speak against, I know there are several of you. So why don't we work it this way."

Ron Fletcher: "I would like to say one more thing. That is the staff has identified those persons who will be displaced you know if this is approved, as far as the amendment for relocation and assessment of development in the course I.C. 8-2317 Relocation Rules and Regulations. And will present those rules and regulations to the Fort Wayne Redevelopment Commission at the regular meeting."

John Wernet: "A technical matter, I would like the record to show that the legal notice was published in the Journal-Gazette and the News-Sentinel on August 29, 1991."

George Simler: "On those who wish to testify against, as I mentioned before I would appreciate if you would move to the front of the room. You may sit or stand whichever you prefer. Give your name and address. Please avoid repetition, please be as brief as possible, and please no demonstrations. So that everyone gets an equal chance here how about I move it in a clock like manner starting over here on my left."

John Wernet: "Mr. Chairman, lets start with the written remonstrance."

George Simler: "Oh, yeah alright. We have a written remonstrance

or several written remonstrances. Are you saying we should call on them first?"

John Wernet: "Yes."

George Simler: "Oh, because they have provided the - Alright we will go with the written remonstrances then, so I won't repeat myself, we will go in a clock like fashion. Is there some representative from each group. Have them go around as many times as needed. Okay David would you tell us who the remonstrances are from, and we will be happy to call them in order."

R. David Boyer: "Some of these I have a little trouble reading the signatures but the first remonstrance filed and the first signature on that remonstrance is Gregory Graham of the Red Dog Cafe."

Gregory Graham: "I'll allow my partner to speak for me. That would be Jack Scheere."

R. David Boyer: "That is the second signature so, Mr. Scheere."

John Wernet: "Again, let the record reflect; how many remonstrances are there Dave? Two?"

R. David Boyer: "Two remonstrances some of them have the same individuals on them."

John Wernet: "Okay would you please mark them as remonstrance one and remonstrance two and have the record reflect that they have been presented and accepted."

George Simler: "Yes, however we have not heard the remonstrances so they would be (inaudible)."

John Wernet: "Yes, but they have been filed."

George Simler: "Okay, okay."

John Wernet: "But they are a direct reflection of the file."

George Simler: "They have been filed, so we will properly accept them."

R. David Boyer: "Would the Commission want me to read them?"

George Simler: "Are they substantially the same?"

R. David Boyer: "Yes. They are almost identical."

George Simler: "However, I think you should read them, yes."

R. David Boyer: "Okay, Remonstrance Number One, Filed August 30, 1991. To the Fort Wayne Redevelopment Commission, etc. Remonstrance to Declaratory Resolution 91-58, Amendment Number Seven, The Civic Center Urban Renewal Plan as adopted by the Fort Wayne Redevelopment Commission on August 21, 1991. Gentleman, we hereby provide the Fort Wayne Redevelopment Commission with notice that we object to Declaratory Resolution 91-58, Amendment Number Seven to the Civic Center Urban Renewal Plan, as adopted on August 21, 1991 for the following reasons: 1. The area is not blighted as defined in I.C. 36-7-1-3. 2. The effected area is not blighted to the extent that it cannot be corrected by regulatory processes or by the ordinary operations of private enterprise with out resort to the provisions of the Redevelopment of Blighted Areas Act of 1981 as amended. 3. The public health and welfare will not be benefitted by the acquisition and development of the effected area. And 4. The adoption of the Declaratory Resolution 91-58, is for the private benefit of certain individuals and if confirmed will lead to an unlawful taking of private property in violation of Article 1, Section 12 and 21 of the Indiana Constitution and the

Fourteenth Amendment of the United States Constitution. The remonstrance number two is identical to that except they have crossed out the last line Fourteenth Amendment to the United States Constitution and added Article 14 and Fifth Amendment of the United States Constitution."

George Simler: "Okay, thank you. Now sir, please give us your name and address."

Jack Scheere: "Jack Scheere, 2522 Stanford Avenue. I am co-owner of the Red Dog Cafe which is 824 South Calhoun. What we are saying in that remonstrance is that - that area - this particular project is definitely for the benefit for Murphy and Associates. They will own the project, they will be controlling the parking garage, revenues from that for their own personal gain. You're eliminating eight business from that area. The Indiana Law that allows for this only allows \$10,000 to relocate our businesses at the maximum. And there are certain limits, I know you are aware of the different guidelines. There are certain limits for certain areas that the total of everything is \$10,000. No more. There are no valid - no alternatives for us downtown except for Midtowne Crossing. We object to Midtowne Crossing for number of reasons; the cost for one, the cost of developing the space, because where we are at now we moved into an existing building which had a basic essentials which you need to operate a business. Midtowne Crossing is at this point dirt floors, for the most part, and you would have to supply absolutely everything to build it up and make it a usable operation before we could even make a restaurant out of it. There is nothing that is happening here that is going to reimburse us as businessmen on this street for anymore than this \$10,000 moving expense. That I think is terribly unfair because there are personal developers that are going to gain substantially from that Murphy and Associates. And its going to be at our expense. I would like to mention one other thing too, a year ago when we were planning on putting together our Red Dog Cafe, we contacted Tim Reidorf from Murphy and Associates to help us negotiate space and a lease for the space at 824 South Calhoun. They did that and we signed a lease for a period of one year with an option for three additional years which we've taken that option up, which is a three year additional lease. This happened in a time when this whole development was being planned, and with no warning to what to expect. We went in there and invested a considerable sum of money out of our own pockets to build this restaurant and to make a business go. And struggled all winter, and now we come to a point to where we are out starting all over again. And there is no real options downtown without going through Murphy and Associates again. These are my feelings there is historical significance to these buildings and this space as it stands now serves a public need. There are a number of restaurants there, the office people in these buildings around here frequent our restaurant as well as a number of others along this street. When we're gone and unless somebody goes into Midtowne and that's again that is the only development. You're taking away from the public. Besides that we don't own the building so you should let the building owners speak for them. But, this is just a matter of taking away private property, that's legally owned by these people and giving to someone else. I guess that's all I have to say. Those are my comments, thank you."

George Simler: "If anyone has any questions at anytime, Commission Members, please, please jump in at that time. David what's next?"

R. David Boyer: "Jane B. Keeney owner of Barber's Foundation and Lingerie. She's coming."

Jane B. Keeney: "I am very disappointed. I am one of the stores that stayed downtown for thirty-five years, the former owners had the business ten years. We have had chances to move before but I enjoy downtown. I like the people downtown, there is really no place to move to. I'd like to keep the business open awhile longer and then possible sell it. This has been a very bad blow. We have

wonderful customers that we've built up through the years and they come in and say 'What will we do? The other stores don't take care of us like you do.' That's a selfish way to look at it, but I think you are eliminating an area where people have really tried to help the downtown area instead of destroy it. And it seems to me, they could find another place for a parking garage."

George Simler: "Ma'am my question is to you here, although I think it applies to all of us. At our last meeting, if you recall, I know you were there, it was said that attempts would be made to deal fairly with the business owners along there. And that they would be offered proper compensation for their businesses and for moving costs and all of that. Have you or have you not heard of any offers so far? I suspect disappointment has to do with the valuation placed upon your business. I am sure there is a sentimental value, but there is also financial value."

Jane B. Keeney: "That's true."

George Simler: "And I suspect that there is a certain point at which you are a little less disappointed than others is there not? And I am asking this, I am not trying to put words in your mouth."

Jane B. Keeney: "I'm less disappointed?"

George Simler: "Well..."

Jane B. Keeney: "I am probably more disappointed, than a lot of these (others)."

George Simler: "Okay, my questions is more concerned with whether you have yet heard a valuation, whether you yet been offered a price."

Jane B. Keeney: "No one has even contacted me."

R. David Boyer: "Mr. Chairman, the Commission hasn't made any offers because we can't do it unless the amendment is adopted. But private buyers have been talking to them."

Jane B. Keeney: "No one has been talking to me. The only time anybody came in my store were two gentleman that said they represented the Lincoln Bank through Knapke through Lincoln Bank and they were just looking at the building. Well I figured since I pay my rent to them, I'd let them look at the building. And they were not from the Lincoln Bank."

George Simler: "Thank you very much. Who is next?"

R. David Boyer: "These first three by the way are all tenants, the next one is a tenant. I am not going to try and decipher the first name, Mr. Yip? From Jeremy's, the operator of Jeremy's. I am sorry, I couldn't read the name, will you state your name please."

Soafun Yip: "My name is Soafun."

R. David Boyer: "Okay, and you are... You operate Jeremy's Restaurant?"

Soafun Yip: "Uh-huh."

R. David Boyer: "Alright you may speak to the Commission."

Soafun Yip: "I am not the proprietor, I have just owned the business about three years. And then I am just so upset at this tearing the building down, I just don't know where I am moving. I owe about \$45,000 and I can't get my money back. I am just throwing my money in the garbage and that's all. And that's why I don't feel good. Because I just own this building for three

years."

R. David Boyer: "Do you own the building or just the business?"

Soafun Yip: "Just the business."

R. David Boyer: "Thank you."

Soafun Yip: "\$45,000, and I don't got much money invested yet. And then now I heard the people say that they want to tear the building down and I don't know where I am going. And I don't know if I can get my money back or not. That's all I have to say. Thank you."

R. David Boyer: "Thank you."

George Simler: "Thank you, ma'am."

Soafun Yip: "Uh-huh."

George Simler: "Okay, David."

R. David Boyer: "The next remonstrator is Dale Taylor, who is a land owner and operates the business in one of the buildings."

Dale Taylor: "I'd like to say that what I had to say was on the remonstrance. And you read it very well, so I have nothing further to add to that."

R. David Boyer: "Next is Kent Holly, of, I believe he is a land owner too."

Kent Holly: "I am Kent Holly and I own the property at 824 South Calhoun Street. I intend to keep my comments brief due to the futility of our quest. I believe the outcome of these proceedings to be a fore drawn conclusion and I am here today only as a matter of public record. I as a land owner would stand to lose private property, find these actions to be a gross manipulation of our legal system for the financial gain for private parties involved. I also find this procedure and the subsequent development to be blatantly disregarding both of the rights of private property ownership which I once believed to be guaranteed by the Constitution of the United States. Thank you."

R. David Boyer: "The next remonstrator, is a tenant, I cannot read the signature, from Dad's restaurant. Is the operator from Dad's restaurant here? Is anybody here from Dad's restaurant that wishes to speak? "

Randy Welchel: "Would you rather I represent him? I have been in contact with him."

R. David Boyer: "We will let you speak for yourself. I think that's all the remonstrators."

Randy Welchel: "Alright."

R. David Boyer: "Okay, I think that's all of the remonstrators."

George Simler: "Okay, now, one more time. We'll have one there, one there, one there, and we'll move right around the room so that all sides are represented. Is there anyone over here that wishes to speak at this point? This is against the proposal. Yes, sir. Step up."

Randy Welchel: "I am Randy Welchel, 1331 Sycamore Drive. I am the former owner of Dad's Restaurant and Jeremy's Hot Dogs. The lady who was just sitting here is the lady that bought that business

from me. I am primarily here with regard to the retail, there will be other people that will discuss the historic ramifications of the tearing it down. And Dale and Kent pretty much touched on the Constitutional issue of private property ownership. My primary concern is that we are trading a parking garage for eight retail establishments. In the studies that you guys have quoted in the Trkla Study, one of the things that they state very well is that the northwest or north block of the Midtowne block should be kept as a retail block. In the Civic Center Urban Renewal Plan it states that the historic, I have it right there, I guess it you want me to enter it in. In the yellow."

George Simler: "Yes, be happy to, if you would."

Randy Welchel: "Basically, the headline says 'Historic preservation, preserve historic structures to guarantee their continued use. Or in some cases re-use.' Then you can read the rest of it. I think that you are taking those plans and adapting them to your own specific uses to make sure that this particular project gets off the ground. One of the things that also hasn't been stated it has been touched upon about the Murphy and Associates benefit derived from this parking garage being in this particular location. We stated to George Huber on a couple of occasions 'Why can't you move it over to the empty spot where the plaza or the park in front of Summit Square is going to be. Why can't you integrate it into the building?' And the primary reason that it needs to be where it is at is so that he can tie into the Commerce building and, which he also owns. To make it a more useful entity. Therefore, benefiting him even further. And I don't feel that eliminating retail so that, I guess that I feel very strongly being a retailer. I don't believe taking away my business or other people's businesses so that someone else can profit is something that the government should be involved in. If this is such a great project then let the developer obtain the property from the owners, let him buy the retailers out of their leases at a fair value. And the retailers know the fair value. And then let him get this project off the ground. The City shouldn't be involved in it. Well, that's about it."

R. David Boyer: "Mr. Welchel, two questions. First, can you tell me the name of the tenant at Dad's Restaurant, for our record? We can't decipher a signature."

Randy Welchel: "Khai and Dong Luong. L-U-O-N-G."

R. David Boyer: "Thank you. And secondly what retail business do you operate? You referred to yourself as a retailer."

Randy Welchel: "Currently my family owns the Loaf and Ladle Restaurant on Calhoun Street and the one out north. Also I am, I have had to put up restaurants, so they are not just speaking idly when they say, when Soafun said 'What am I going to do for my money' that's how much it basically costs to put a restaurant together. Thirty to fifty thousand dollars, based on the amount of space and the involvement that you need to re-establish the business. And I have seen no-where that the City is willing or able to compensate these people to that degree. If that's true, and I said that to George outside the meeting. Then I will go away. He said 'By law you have to relocate or compensate'. And that's fine, but the only thing I have seen happen so far is one of the tenants get kicked out. But if you guys actually have to relocate or compensate them then I won't really stand in your way. But what I am afraid of is that the people will be displaced and whether they are given five or ten thousand dollars that's like - there's no way they could re-establish themselves, either downtown or out north, in the inner city. I don't care. They are no going to re-establish themselves for five to ten thousand dollars. I just put a restaurant in out north last month"

George Simler: "Where did you get your figure five to ten

thousand?"

Randy Welchel: "The figures that were handed to the or mailed to the tenants. Were based on, I believe the State statute, that said that the ten thousand dollar figure. Within that five thousand is for the actual reconstruction of the proposed business. I think fifteen hundred or twenty five hundred of that is for signage. And there are other increments. Basically the five thousand is for the reconstruction. And the reconstruction is where all the money is going to be spent. You would spend five thousand dollars just putting a floor in one of the spaces at Midtowne."

R. David Boyer: "If it would please the Commission the tenants were given a summary of the Indiana Relocation Act and there is one section of that act referring to re-establishment expenses. That has a \$10,000 cap. This is all in Title 8, Article 23, Chapter 17-13-1 and subsequent. If this were a federal project there would be different cap but it is not federally funded so that's the cap for re-establishment expenses. There is no cap on moving expenses which are reasonable and appropriate. But they have seen the, I think they are reacting to the cap on re-establishment expenses."

George Simler: "I'd like to here some staff comments."

John Wernet: "He has presented an exhibit, did you identify it?"

R. David Boyer: "I have marked it as Randall Welchel Exhibit Number One."

John Wernet: "There hasn't been any other identification? Is it titled anything?"

Rand Welchel: "It is the Fort Wayne Comprehensive Plan."

R. David Boyer: "He is offering part of the Fort Wayne Comprehensive Plan primarily, Section 4, Historic Preservation. I guess page 53 of the Comprehensive Plan. No, its the Trkla Study, not the Comprehensive Plan. I am sorry. So it is page 53 of what has already been admitted as Exhibit D."

Ron Fletcher: "But more specific."

R. David Boyer: "More specific right."

George Simler: "Okay, Steve you had a question?"

R. Steven Hill: "No."

George Simler: "Oh, okay. Anteing further? Then thank you very much. Appreciate it. Okay, we'll move over into section at about 10:00. Who over there wishes to speak right now? In the back there I see a gentleman. Introduction?"

Bob Morton: "I am Bob Morton. General Manager for the Fort Wayne PTC. And I would like to say we are not opposed to the plan. God, knows its the only plan we've seen come down the pike in quite a few years. So we are as concerned about the deterioration of downtown as anyone. Its the public enemy. The PTC does have a considerable investment in the downtown Transit Mall though. And we are concerned about that investment. And we are concerned about the continued presence on the Mall. It would be unhealthy for the events to take place that would further deteriorate our ridership base and construction of a garage on that corner certainly would further the destruction of our ridership base. Also consider the fact that we have a large investment in a downtown parking garage ironically enough ourselves. Which is a great source of revenue for us. We, as Loren so aptly put, we too consider that the heart of Fort Wayne. The Public Transportation Corporation is concerned

about being locked out of the heart of Fort Wayne. We don't intend to let that happen to us."

Emily Kass: "Do you have reason to think that..."

Bob Morton: "I am concerned about presence of that parking garage and the effects it would have on ingress and egress of our busses. And also the egress of traffic from the parking garage during peak hours. How it would effect our on-time performance. It could effect it in a negative way. Very negative way, in fact. I am concerned about possible revenue loss. We are anticipating an income of maybe \$350,000 for 1993 from our parking garage. I certainly don't need any additional competition. From another parking garage down there. From PTC's point of view we have enough parking - a surplus of parking spaces downtown "

Emily Kass: "Is that garage filled to capacity?"

Bob Morton: "The garage was filled to capacity one day in March. I am sorry August. August 18th was the only day in August it was filled to capacity. When you consider all the rather cheap parking around the periphery of the Central Business District area. And the cheap parking downtown. To be quite candidly Fort Wayne offers realitively cheap parking. You can argue against it if you want to. Fort Wayne offers realitively cheap parking. That has a negative effect against PTC. It certainly doesn't enhance our ability to attract ridership. That building an additional parking garage will certainly further subordinate that ridership base."

George Simler: "Thank you. Any questions of this person? Bob, thank you very much. Appreciate it. Okay, move over to the 2:00 area. Craig, would you step up please."

Craig Leonard: "My name is Craig Leonard. I a Research Preservation Consultant. And I was the author of two petition for historic property designation that have been submitted to the Historic Preservation Review Board. As evidence I would like to submit copies of those two petitions, as well as some background research on the remaining bond buildings on the block which I have researched. I realize that the historic significance of these buildings is not the primary focus of the Commission's activities. Whether or not it should be is another question. I would like to summarize the historical significance of the block though. By saying, that by referring to Plat Maps of Fort Wayne, the Abstract Title of the existing properties, and the copies of the Fort Wayne City Assessor's book that are available in the Allen County Public Library. I have been able to determine that these structures on this block include what are arguably the oldest commercial structures remaining in downtown Fort Wayne. There are three structures on this quarter block that date from the year 1859. This was the year the downtown began to grow southward along Calhoun in response to the competition of the Pennsylvania Depot at the Calhoun and Clinton Street intersection. I will leave it to you to read the information in detail. I'd be glad to answer any questions you have. I would like to call into question a few statements made by Mr. Kravig. Having had access to the Plat Maps and the detailed property descriptions contained in the abstract of the title I find his figures concerning the percentage of this quarter block that is or is not occupied erroneous. Based upon my own calculations I find that 52.96% of the first floor quarter block parking garage site intact now occupied. While it is the case that 75.61% of the total space in the quarter block is vacant if you take into account the upper floor space. It is perhaps more useful to realize that of the eleven buildings on this quarter block eight are occupied by living, breathing, retail tenants. As a matter of fact, the two properties in question represent another thing Mr. Kravig said had not occurred. Namely significant investment in the downtown. Mr. Taylor and Mr. Holly have between themselves invested approximately \$200,000 in the renovation of their respective properties at 822 and 824 South Calhoun Street.

Mr. Taylor has renovated all three floors of the interior of his building including the third floor part where he lives. Mr. Holly is worth pointing out - in 1988, prior to buying the property, visited the staff of the Redevelopment Commission and inquired as to the possibility that the quarter block in question was the possible site of some future development. He was assured that there were no such plans for the development site, strictly true, I suppose. He was assured he was doing exactly the sort of thing that the Redevelopment Commission wanted to foster in the downtown. Namely, that people should buy the buildings, improve the buildings, and occupy them with retail establishments. So as to reinvigorate commercial activity in the downtown. They have done that, and now they are seeing the harvest of their efforts. Lastly, I would say if the curious definition of blight - and I would really like to see it defined - which says that block where eight of the eleven buildings are occupied by businesses is blighted. I believe if blight is to be defined as the lack of activity, I don't think this one really qualifies. It is also worth noting that of the eight businesses that are on this quarter block only two are more than five years old. In a very real sense, the low rents that exist in these existing buildings make them capable of serving as an incubator of downtown small business. This is something that is not possible given the rent structures that exist in other areas, such as the Midtowne Crossing Project. Lastly, I would say that I think that the presentation of the proposed parking garage project have been slanted in that they have in fact been misconstrued so as to conceal the true visual impact of the seven story parking structure on the northwest corner Calhoun and Wayne. I think it is clear, despite the architects rendering, that the parking garage - rather than the Murphy Building will be the dominate visual element at the intersection. I think that at the very least it could be said that looking at a seven story stack of concrete spandrels will constitute in itself a visual blight. Which will at the very least make it difficult, if not impossible, for the Commission as the owner of the condominiums at the northern half of Midtowne Crossing Project to find buyers at the prices it would like to command. Having worked myself as the Historical Preservation Consultant on the Midtowne Crossing Project, I'm intimately familiar with the background of those buildings. And I myself would very much like to see that project be successfully consummated. But I don't think this is a next door development that is going to particularly do anything to encourage that. Thank you."

George Simler: "Thank you. Okay we will start back over here on the left."

John Wernet: "Once again, Dave, will you identify the exhibit?"

R. David Boyer: "Third mark Craig Leonard, Number One and Number Two, and Number Three."

George Simler: "Back here on the left. Anybody over here? Okay, over at 2:00, I am sorry, 10:00. We'll try that. Anybody? Yes, ma'am?"

Bonnie Taylor: "My name is Bonnie Taylor. I didn't really come here expecting to talk. However, I just feel like I do at this point after hearing everything that was said. I feel like I would like to speak in my friends behalf. He owns the building that houses Subway. I know that he and Kent had looked into possibly of those buildings being torn down, or anything like that. Prior to their purchasing them. They were assured that there were no plans. So I feel that if this does take place, I feel that every effort should be made to make sure that these young men are compensated for the monies that they have invested. And for the fact that they were very interested in choosing to put their money on the line to where maybe some of the rest of you who would like to see downtown Fort Wayne nice, have not taken anything out of their rear pocket wallet. That concerns me. These boys, I call them boys because I will probably always call my sons boys, but these boys have

invested their dollars. They have taken upon themselves to want something better for that area down there. And so they are not just talking out of the side of their mouth. They've put their money there. And the Jeremy's Restaurant if you look into the background of these people. The two oriental families who have businesses down there. Those people have worked hard and long to come up with their down payment for their businesses and I understand they are buying their businesses on contract from Randy. Those people, that's their livelihood. That's paying their home mortgages, that's putting their children through school, its very unfair if you people take this ground that you do not compensate them for what their investments are. They don't have a job to come to, an office job, that assures a paycheck. Their in the trenches, they are working hard. As Mr. Kravig mentioned, he mentioned that this is the heartbeat, he said this is the core, of downtown Fort Wayne. Calhoun and Wayne Street. And you tell me that a business who has worked hard and long deserves a maximum of \$10,000 for their business. Or that these people deserve very, very, little compensation for their buildings, when they have tenants in there with five and six year leases. My son lives there for him to go over to Midtowne, to buy a quote 'comparable apartment' is \$62,000. Now if you people want this property I think it is only fair that you compensate them accordingly. I also feel very strongly that you need to be honest with the people who are going to relocate into Midtowne. Midtowne has not taken off like you would like. Well that's too bad, lets sacrifice another quarter block. Now if you look at your map you will see that on the next corner you have Harrison, you have Wayne, you have Berry. What is located there? You have a parking lot all the way through. Why can't a seven story parking garage be put there? It's already a parking garage, one level. Why can't a seven story parking garage be there..." That full block between Wayne and Harrison and Berry and take some sort of an overpass right down through the alley, the alley is not used that much, have you really studied the options. I don't if you really have, I guess that from my stand point I look at this and I think, there are some options. Now maybe some of you sense that that's a blighted area but there have been some down there trying to do something about it.

George Simler: Ma'am what instances are you aware of that we've not been presented with other options. I'm sure I quite agree with most of the people in this room with what your saying, nobody has come forth with type of a plan. Will you please respond to that.

Bonnie Taylor: Well I'm not part of the organized people who are trying to put this plan together as a buy out. So I don't know why they haven't considered that. But I think that its part of the Redevelopment maybe you need to say well you people need to go back to the drawing board and look at a third option. I don't have the answers to that, that's not really my concern, my concern is that this group of 8 merchants are going to be affected, their lively hood is going to be affected. I also know that we personally are close friends of Kyle Chen, who owned the Eating Place down in the old Midtowne Crossing ares. And then he was relocated, today he is out of business, in fact his folks have left the country. They have gone back home because of all the turmoil that took place in the purchasing of Midtowne and all that area totally undeveloped at this time, so I'm just saying maybe we really need to look at this a little bit better. If it goes through, if your really really serious about making it work, compensate these people. Look at what happened to the owners at Midtowne that were ousted out of their building, and look at those people, and follow up on those people and see what happened to them, are they in business today, did they go bankrupt, did they have a big bill to pay back. I think that it's important that we look at that. This lady that a \$45,000 loan outstanding on her business, if we're going to give a \$10,000 cap at a maximum, what's going to happen to the other \$35,000.

Dave Boyer: Mr. Chairman I would like to right now respond to the

\$10,000 cap. There is no \$10,000 cap, there is compensation for the real estate interest, there is compensation for moving expenses, the only \$10,000 cap is on the reestablishment expenses, one phase of the expenses, the newspapers have done a disservice to the community by getting the figure \$10,000. I don't know anybody that is subject to a \$10,000 cap. And that's pursuant to the state law.

George Simler: Anything else Ma'am.

Bonnie Taylor: No that's all.

Karen Kiemnic: May name is Karen Kiemnik and I'm the Director of the Northern Regional Office of Historic Landmarks Foundation, for those of you who are not familiar with us, we are a state wide non-profit organization of some 4,000 members, who work with Indiana citizens in helping to preserve historical architecture. I have been doing that for 31 years. Downtown Fort Wayne has many opportunities and great potential for development and growth, at the same time I think it has some problems in common with other downtowns that I've experienced when I go to 25 counties that I work with in this part of the state. The Murphys Building is an exciting project, and a timely project for downtown and I think it will bring reinvestment at time that its very sorely needed. It will probably be a catalyst to other projects in the area, however I think that it is critical for you to look at the way the project is proposed and to review other options for the parking situation. The current plans will mean the demolition of 12 architecturally and historically significant buildings in the quarter block where the parking garage slated. One of them is the oldest existing commercial building in downtown Fort Wayne, dating pre-civil war time. This is the kind of thing that we go to Europe to see that we're not going to have in this country if we tear it down. This block represents a finery of 19th and early 20th century buildings with most of their original character in tact. In addition, there are a few other examples in downtown of a large section of block which retains all of its early structures, once these historic buildings with their unique stone, taracota and brick detail are destroyed, they're gone forever, they are irreplaceable. Historic Landmarks Foundation opposes the destruction of this quarter block of architecturally significant buildings, and we feel that your designation of blighted will pave the way for this destruction. We ask that you consider what you want from your downtown, is it three parking garages, in three contiguous blocks of Wayne Street, is it a parking garage, in what your staff has called the heart of downtown, or would you like to see the reintegration of these viable historic buildings into the future of Fort Wayne. Thank you.

George Martin: My name is George Martin, I am an Attorney representing the entity who owns the building and operates the business at 826 S. Calhoun. We're not necessarily in opposition to the proposal, however, we do have serious concerns about the validity of the Indiana Statute when it comes to taking of property. The constitutionality of it, because we feel that there probably is no problem with the real estate, that's been well established. In many cases throughout the history of Indiana and the procedures there are designed to protect the individual and I do not have any problem with that. However, we have serious concern with the relocation of the business expenses and whether that's a cap on that or not, on that particular portion, it appears to be. I think that property includes the operation of a business and we are entitled to be adequately compensated for the taking of the business as well as the taking of the real estate. We would like to preserve our option to contest the potential taking of this property if there is not adequate compensation for all of the items that are being taken, including his business opportunities.

Gretchen Weigel: My name is Gretchen Weigel, 5516 S. Wayne Avenue, I do have a prepared statement, which I won't read because several

of my clients have already been mentioned. Basically I am asking you to look at another location for the parking garage. The Murphy Building itself has exciting potential, the developer wishes to do it, but I do think that we have an obligation to our architectural heritage. And I am asking you to look at an already vacant land for your parking garage. Thank you.

John Wernet: For the record we'll note this Exhibit Gretchen Weigel Exhibit #1.

George Simler: Ok - I am going to assume by the absence of hands that there is no more testimony against the project. We'll move into the next phase, for those speaking in favor of the project. In back and then we'll move forward.

Steve Wesner: My name is Steve Wesner, Goldstine Real Estate, 1414 Anthony Wayne Building. There are a couple of clarifications that I would like to make. I heard numerous comments regarding Midtowne Crossing, as you are all aware, we are the real estate agent for the commercial portion of Midtowne Crossing. With the several offers that have been made to date for space in there, we are finishing those spaces into a basic store room, which includes the pouring of floors, there is only one building out of 13 that does not have a floor. We were offering those with floors installed with heating and air conditioning equipment, ceiling, drywall walls, drop in fluorescent lighting, basically a finished store room. Bathrooms, electric service panel, the rooms will have to be finished out for the specific tenant whether it is just painting the walls, and covering the floor with a finished floor covering or whether its finishing out the restroom space. But I did want to correct for the record that the spaces are not just totally unfinished spaces. I think that there is also some misconception as to the cost of the rooms in Midtowne. We are offering those space at \$6 to \$8 a sq. ft. I had the pleasure of offering one of those spaces to someone that's in the quarter block where the parking garage is proposed and according to the rents and the size of spaces. The person told me that they were excessive \$12 a sq. ft. presently. So I think that maybe there is some misconception on what it costs to go into Midtowne and how it would affect the people that are being displaced. The only other comment that I would like to make is we had the G.C. Murphy listed for 2 1/2 years, and have been involved with Midtowne for 8 months and until this project was announced the two items that were cited by the prospects, I wouldn't even call them prospects, people that we've approached trying to lease space, either in Midtowne or sell the G.C. Murphy Building, the two comments that everybody had was the lack of parking and secondly the blighted area surrounding the buildings.

George Simler: Steve, you say you had the Murphy Building listed for 2 1/2 years.

Steve Wesner: We had a portion of it, we represented one of the property owners in the corner.

George Simler: I was lead to understand that there was 50 or so, or 20 property owners. And your saying that you had that much free and clear building. What it a substantial part of the building that you were representing.

Steve Wesner: We had the corner 60 ft. by 70 ft. listed for sale, my point is, I worked with Mr. Zacher who had the rest of the building listed. Everyone we approached to try to sell the building to, their concerns regarding the property were that there was not adequate parking, for whatever their use might have been and secondly they were concerned about the number of vacancies and the problems with the surrounding properties.

Dave Boyer: When you say surrounding properties, are you referring to the property which has already been described in the amendment

Redevelopment area.

Steve Wesner: Yes, I am. They were also concerned, of course, about the situation that the Midtowne Crossing space was empty, again it was empty because people that we tried to interest in that space were concerned because of the lack of parking in particularly with Wayne Street, and what they had to look at across the street. Namely a number of boarded up buildings.

George Simler: Thank you. Any other questions. Anyone else wishing to speak in favor of the project?

Larry Shine: Members of the Commission, my name is Larry Shine I own the property at 916 S. Calhoun Street. I have the dubious distinction of being one of the two property owners in the Midtowne project that continue to own this building, rather than to sell it to the City. My building is currently empty, it has been in all of 1991, it was empty when I purchased it in 1977 and I will tell you that the success I had in renting, and the markerel history I've had in renting it I attribute to the fact that there is no sufficient parking in the downtown area, in the immediate downtown area. I have had in 1991 one serious inquiry about the lease of my property, and to this point that has not come to fruition. And I would just like to say that the location of the proposed parking garage at the north west corner of Calhoun and Wayne is going to be helpful to the Midtowne project, certainly to my building that is located in the Midtowne area, and those people who say that the parking garage should be located else where, I don't think it takes a land use planner to know that the downtown will certainly benefit from the renovation of the G.C. Murphy Building and a top grade renovation and rehabilitation of the G.C. Murphy Building could not be done without adjoining parking because those tenants would not be interested in such space, would not be interested in it without very convenient parking. Thank you.

Bob Beckert: Mr. Chairman my name is Bob Beckert, and I've been a life long resident of Fort Wayne and now I'm very proud to be an independent property owner as a result of the purchase by my partner and myself on the southwest corner of Calhoun and Berry which now houses our law firm Tremper, Beckert, Leonard and Terrell, which was commonly known before as the Cunningham Optical Building. We are very very much in favor of the Civic Center Urban Renewal Project. Much thought went into the decision to invest in downtown, the ultimate concern being the occupied, the unsitely, what we thought were the dilapidated run down buildings on Calhoun Street, between Berry and Wayne Street. We continually get comments from people, why would spend the money that you spent on the building that you purchased when you are only building on the block, at that particular time, was willing to stand up and indicate that we had a desire to improve downtown Fort Wayne. Our threshold decision to spend a great deal of money on an office building, because it did seem to us at that inconceivable that the City of Fort Wayne would not address the unkept buildings to the south of us. We really did not know of the ongoing thoughts on the project that is before you now. And we are very pleased that it happened so promptly. What ever integrity you feel about the buildings proposed to be torn down for the parking garage had it. In the past we respect that, but we feel that it has been lost to decay, lost to deterioration, and has been ravished by time with the result being an apathy that's attached to those buildings that is irreversible. Our is, we feel is a progressive society we sometime must leave behind and move forward with the present, and that is what we're asking you to consider, and to move forward with the present. We need to make choices in our community to grow and this is one of those choices. This is an opportunity for an economic expansion in a critical part of downtown that is exciting, it has vision for the future, and vision for our community. Sometimes the want and choices of a few, and I respect those wants and choices of those persons who occupy those buildings, but sometimes those choices of a few must take a back seat to what is

in the best interest of the whole, or the best interest of the community and the city at large today. Therefore, I sincerely speak in behalf of the proposed project brought forward by Murphy & Associates, by George Huber, by Indiana National Bank. And I express to you also, as I sit here and listen to the comments that were made by the parties concerned, it seemed to me that their main concern were directed towards one issue, and that issue is the compensation issue, and not the improvement that will take place for downtown Fort Wayne. I understand their compensation issues but, just for my own edification I read some of the law as it applied, and I think that they have a misconception and have received some inadequate advice and they need to learn a little more about what compensation are available to them, because they haven't addressed it and understand it to the fullest extent. As far as the parking issue, and then I'll close, what of our greatest concern in having a business in downtown Fort Wayne is the inadequacy of parking. It was discussed with us when we bought the building we bought and because the surrounding parking lots are quite full with monthly tenants. We have clients on a regular basis that say that they weren't able to locate their vehicle in a parking facility, I believe that the parking facility that is proposed is coordinated very nicely with the new structure to be at the Murphy Building and hope that the new parking facility will not only enhance that building, but will enhance us, and will enhance all of downtown. Thank you very much.

Craig Leonard: Having previously sat in this chair in opposition I suppose you find it strange, but I would like to offer you a few comments on the Murphys Building. I think that it is worth realizing in reference to the past history of the Murphy Building, that the Murphy Building when constructed in 1950 was a result of the Murphy Company having gotten a long term lease from the various property owners on the site who roughly correspond to the structures that occupy the site prior to the 1950 construction. That lease is due to expire at the end of this year, the fact that it is due to expire at the end of this year has been a major factor in the lack of any interest up until this time. Anybody wanting to develop this thing, basically the only way to get hold of the whole building, current situation, is if you sublease it from Murphy's and nobody is going to make a long term investment to downtown, they're going to sublease it from somebody who's lease is about to expire. Nonetheless, it is worth pointing out a couple of things that I have uncovered in my research of the recent past of the Murphy Building. It is the case that at least one Indianapolis developer investigated the possibility that since the Murphy Building was built primarily as a warehouse in 1950 with a concrete structural system for the use of the upper floors of the warehouse. There was a developer who investigated the possibility of using the upper floors of the Murphy structure itself as a parking structure. This is a very interesting thing because it corresponds to some known rehabilitation projects of its structures. Notably the Greyhound Depot in Washington, D.C. speaking as a Historic Preservation Consultant, I would offer for the record that it is in my opinion, that the Murphy structure as the last major free standing example of the streamline modern style in downtown Fort Wayne is in itself eligible for the National Register of Historic Places, and as such, could be rehabilitated using the same tax credits utilized at Midtowne Crossing. It is the case that the lack of an upper floor windows in the building would be a major problem if you wanted to use those upper floors as habitat space. Because the next person wouldn't be unlikely to go along with any proposal if you cut window openings into the existing walls, however, if you are going to use the upper stories as a parking garage this would not be a problem. The other interesting thing to note about the Greyhound project in Washington D.C. is that, if that project is called by the National Park Service calls for the construction of a set back modern steel and glass tower on the upper rear corner of the structure as a way to preserve at least at street level the historic appearance of the building while allowing for the significant reinvestment in it that's necessary in order to

make it a viable economic entity. I will only submit to you that the same possibility is definitely one that could be used here and that at the very least you as a Commission should see some evidence that such possibilities have at least been explored and not some early rejection without examination.

George Simler: Craig, have your studies come to the point of being to estimate the number of car potential that the building might add.

Craig Leonard: No, I would point out though, one possibility you would have in using Murphy's is that since there is the Renaissance Square parking garage directly adjacent to the east, a significant savings of the available space in the upper storage could be realized if the Murphy Building were connected to the parking decks of that structure, so that its ramp system rather than a new ramp system in the Murphy Building could be utilized. I would only wish to point out to you that there are other possibilities here, there are even possibilities that fall within the realm of historic preservation for the Murphy Building.

Kim Zuber: Are you an Architect Mr. Leonard?

Craig Leonard: No, I'm a Historic Preservation Consultant.

Kim Zuber: I just wondered.

Craig Leonard: I have a Bachelors and Masters Degree in architecture though.

George Simler: Mr. Zacher we are moving around the room, do you have a response to a question.

Al Zacher: My name is Al Zacher, I am a real estate broker at 825 Anthony Wayne Building. I would like to reflect to you for a moment about some experiences that I have had with the Midtowne Crossing area approximately 8 years ago, at that time there was some considerable public interest on how to redevelop, what had been known as the Courtyards. After serving on a public committee I determined that I would lead the committee and put together a private develop package for the project. I brought in a developer from Indianapolis, who had in the past had the finest track record in the United States for housing. They have parking projects throughout Fort Wayne Indiana and the mid-west. A very high occupancy rate, outstanding record. They were going to build a 150 park units and a new parking garage within the block. They hired Schenkel & Schultz a Fort Wayne Architect to plan a project and we thought they did an excellent job. At that time however, if you recall and I think that the recent editorial in the News Sentinel made reference to this, that there was a strong human cry against excessive demolition of existing buildings and this particular project would have involved the demolition of portions of the southwest corner of Main and Calhoun that were not at first proposed for demolition for the County project. However, in the long run the County project did demolish most of the buildings that would have been removed by our project, and I do think the former Earl Groth Building remains, and that would have been removed. I just wanted to point out the fact that a project that had significant backing of that are now not involved the kind of pressures on the city and the community that are now involved in Midtowne the project was scuttled and I think with our strong blessing and concurrent because we were not willing to with stand the pressures from the preservation groups and not only that, we agreed that if in fact the Kennedy could preserve the buildings as they proposed and in fact improve downtown as they suggested they could then that had the greatest advantage to the city. So my point is, and I'm just ??? with you that the preservation of the community has been taken into account over and over again and Midtowne Crossing is a clear illustration of that, and I do want to point out the fact that the northwest corner of Washington and

Calhoun has been preserved and improved through your efforts, and yet at a very significant cost. Now then, as far as the G.C. Murphy Building I've had it listed, most of the building, except for the portion that the odd fellows, that Steve talked about, Steve Wesner talked about, we worked for almost 3 years to put together various packages on that building, we worked with major investors and developers in Fort Wayne, very prominent names, people, with great success, we worked with Indianapolis, and Chicago developers, all of them said they had to have parking in order to develop the property, and they didn't have the imagination frankly that the Murphy did to come up with this particular solution that is now being proposed. The parking garage that was mentioned previously, the Renaissance garage is full, and would not allow us to expand in that direction, so that was eliminated as a possibility. Our Indianapolis developer that was mentioned a few moments ago, examined the possibility of putting cars on the upper floors of the G.C. Murphy Building, but the car spacing is so narrow. The investment for spacing your cars was prohibited so that a considerable investment of money and time and effort was made by the second largest contractor in Indianapolis and in the city to put together a package in the building and they found it impossible on two counts. One they could not put cars in the building, and secondly there was no room in the adjacent Renaissance Center. So I have to state that after a huge amount of effort on my part over 3 years, and we felt we had the building put together. We had the land owners who did not feel this was a problem, although the final resolution of that came about under some what different circumstances. But the building of course is fully tied up and with a great imaginative solution to problems that were not solvable by major developers over a two year period, and I do obviously encourage your support in the project.

Pete Springer: My name is Pete Springer, I represent Springer Jewelers at 815 South Calhoun, I just have a couple of comments, not to reiterate what's already been said. We've been a retailer downtown for approximately 60 years, 20 years of which we've been on Calhoun Street. Again, we have the same problems that the people speaking in favor of the project have said about parking and so on and so forth. And our customers have the same problem, and again we've looked at the buildings for years that have deteriorated to the point where they're an eye sore, and have been an eye sore and we've seen no progress in the buildings at all. And that's sitting in front of the buildings every day and looking across the street and seeing the buildings deteriorate. So at this point, I would highly recommend that you except the project. Thank you.

Rod Howard: My name is Rod Howard, and our company occupies the building 110, 112, 114 West Wayne from the early 30's to 1986. I simply want to comment on the condition of that building. I don't know about to day, but in 1986 when we left the building it was physically and economically worn out. That building went back to the 19th century, I don't know exactly when. I would imagine it has historical significance only in the sense that it is old. I don't think that its a beautiful building, but I do want to go on record saying that its my opinion that the building and possibly some of the others in that quarter block are worn out. Thank you.

Tom Mather: My name is Tom Mather, I represent Coldwell Banker, commercial service at 2402 Lake, and my customer here is Salad Galley, made a proposal to lease space which is facing the area that we are looking at. The Wayne Street and the new proposed Murphy Building. I've taken the before and after shots here, and with the announcement we saw another project in June, and we were stalled in negotiations until August and then the announcement was made. Prior to that we were looking for other locations but now with the announcement of the parking garage my customer here has expressed a deep interest in proceeding forward to the Midtowne Crossing. He thinks it would be more appealing to his restaurant

operation here, also he'll have additional patron parking, which he would not have had before this, parking for the convention center and Philharmonic and other areas in the area will give him increased business hours which he would not have had the opportunity to do. Also, the parking garage here as I understand, will be tree lined which will give it a more asthetic value to the city, also on environmental issues will be answered. The additional employees downtown will give him added business that he would not have had. Also, the clients and the customers of the new tenants in the INB Building will give him the opportunity to have more business which he would not have had before. So I'm speaking on behalf of the Salad Galley. Thank you.

Dave Boyer: Do you want to introduce that to the record?

Tom Mather: Yes.

George Simler: Is there anyone here on the right wishing to speak in favor of the project?

Fletcher Moppert: My name is Fletcher Moppert and I'm with Moppert-Lazoff & Company at 128 W. Columbia Street. I've heard a lot of comments, and I would like to add just one as a property owner in the neighborhood. We have a building at 107 W. Berry Street, where Arthur's is located, until this project was announced the owners were not willing to spend the money necessary to bring that building up to shape, since then they've said go ahead. The one comment I haven't heard here that I wanted to add is I think this will add a tremendous level to the tax base that this area has not been able to produce in the 2 years. So I think there will be other investment made in the area with the creation of the parking garage. Thank you.

George Simler: Right side, left side, in the back.

Tim Dirig: Hi, my name is Tim Dirig, I am the President of Arch, Incorporated and I would like to speak to clarify Arch's position on this project. The project that the newspaper mentioned about the 21st of August, which was pretty well timed since we have a Board meeting on the 22nd of August. This project was a topic of the Board meeting, it was an agenda item. Mr. Huber was present at the Board meeting and was asked to describe the project in detail. Board members were given the opportunity to ask questions of Mr. Huber. Board meetings at Arch are very informal and adversarial positions are encouraged, in fact we encourage people to take a double advocacy role if you will. Virtually all of the comments made were favorable, in fact I don't recall any significant unfavorable or negative comments. That is not to say that everyone at the meeting had a favorable comment, but most of the people who were at the meeting did have favorable comments. We do not have a transcript of that meeting. I believe that I can summarize the comments in four points:

- 1). Most of the Board Members believed that it was good to see a development of the G.C. Murphy Building. That building has been sitting there with a protracted vacancy and most people simply view that as something good happening to that building finally.
- 2). The quarter block where the parking garage will sit, certainly currently was not considered a favorable downtown selling point by any of the members of the Board that had comments to make.
- 3). The project has the potential to jump start or helping Midtowne Crossing. Midtowne Crossing is clearly a significant project. And if this project can help with the additional parking, that will certainly be a favorable project. But the parking is not the only issue here for Midtowne Crossing, fact of the matter is there

is an additional building downtown which will have additional people and its close to Midtowne Crossing, so there is some potential benefit to Midtowne Crossing.

- 4). The benefits of the project, most of the comments ran along the line that the benefits of the project simply out weight, and that's the key word here, the particular structures in question. Old does not necessarily equal significant, old is a factor in significance. And the fact of the matter is, no one was jumping up and down about the condition of the quarter block that is currently sitting there. It is not Arch's obligation to vote up or down every particular project development downtown, or otherwise in the Fort Wayne area. Consequently, no formal motion was made, and consequently no formal vote as made. To date, I've received a total of (5) five telephone calls on this project, as the President of Arch. Four of them were from (2) two Board Members, and they were favorable, and (1) one of them was from the newspaper. I initiated (1) one telephone call to an individual who testified for the opposition. As of yet, we've yet to make telephone contact. The Arch office has had similar results. Consequently, I would say that if there is tremendous opposition of this project, from a historical preservation prospective we've certainly not seen evidence of it having been brought forward to Arch's attention, at least not myself as the President, or to the Arch Office. Thank you.

George Simler: Thank you. Any questions? Ok - on the right. Yes sir.

John Spillson: John Spillson, owner 832 Calhoun Street, I feel sorry for the restaurant owners in that block. I don't know how many years they've been there, I don't think too many have been there, maybe a couple, three at the most. In the fifteen years that we've owned the building, we've had nine tenants, our rent was \$500 a month, we paid the taxes, we paid the insurance, and when you figure that out that's not very much net profit off of a building that is worn out and for us to put money into it for us to make it in good condition, we would not be able to get out rent out of it. Thank you.

George Simler: Thank you sir.

Mike Gouloff: My name is Mike Gouloff, I'm the President of Schenkel & Schultz Engineers. I wanted to talk today about the issue that is in front of you. Actually, before I begin talking about what I wanted to, I'd like to talk about Mr. Leonard's comments. Regarding the possibility of G.C. Murphy's needing a parking garage. First of all, I'm a registered architect in Indiana, and 13 years of ?? United States and have been involved in 10 million square feet of new office buildings, at a minimum, I guess. G.C. Murphy's Building was remodeled in 1950, early 50's. The 50 foot by about 65 foot corner portion was built new, new construction, in fact it was designed to 125 pounds of square foot lighting. The remainder of the building that will remain in this area was constructed in 1928. There is no way that it can be a parking garage, we're not even sure, it will have to be beefed up to be an office building. It's present design for weak ?? is about 50 lbs. of square foot ??? which is way under what is needed for a parking garage. In short, there is no way economically the G.C. Murphy Building could be renovated into a parking garage. And pardon me for saying, but that was just shooting from the hip for saying that, that was a cheap shot. Now, we will get to my remarks, Mike Gouloff, I was born in Fort Wayne, raised here, went to college at the University of Cincinnati. I came back to Fort Wayne to work, started working at Schenkel & Schultz, actually in 1967 when I was a student. I ran prints, I was a print boy, and I worked my way up through that company and today I am one of the

owners and the President of the company. I have really deep roots in this city, I don't want to go any where, I don't want to move away, I've lived here my whole life. And I as any community member have a vision for what Fort Wayne is to become, everybody in here has, that's why your sitting here, I'm certain of that. The developer has that, certainly the people that own businesses and store fronts have that. Our visions aren't the same, they're different. In the experience that I've had in projects throughout the United States, and we've worked in 30 states so far, we have four offices in the U.S. and it worked in cities like Los Angeles, San Francisco, Hartford, Connecticut, Orlando Florida, Dallas, Texas, San Antonio, Chicago, and on and on and on, I could go on there are hundred of cities. There are two key things to remember about projects, projects driven by sound economics work. They work, they get paid for, people rent the space, and they are sound, they work. Projects driven by emotion fail, and they fail miserably. There has been a lot of emotion exhibited here today, some of it based on less than rational kind of ideas. And some probably misinformation, that's unfortunate. But it's important that everybody involved with anything like this be informed. The INB Center Project is good, it works, its going to be good for this community, the last three or four weeks since this project has been announced I've talked to literally hundreds and hundreds of people about the project, and I will tell you not one, except for a conversation that I had sitting on a park bench on Calhoun Street with one of the people who was involved in one of those store fronts, not one conversation was bad, everybody said good job, that's tremendous, it's what downtown needs. It's everything we want downtown to be. It would be a positive asset to the community, everybody knows that. It's going to bring a lot of jobs to downtown, the building itself will house well over 300 people based on the kind of density that our office will provide on the fourth floor, which is 75 people. With that kind of density which we operate at less density than I like to see it sometime. If the building operates at that kind of density level there will be well over 300 jobs in that facility. The developer has committed 15 Million Dollars to this project, that's going to provide well over 200 construction jobs over a 18 month period. And that money will be spent in Fort Wayne, you've heard all kinds of stories about the economic ripple effect bringing businesses into the community, well these are businesses that are in the community that are going to pay for this. There's nobody coming in from out of town, everybody that's going into this thing right now is here. We are doing it ourselves, because we want to do this for the community, and we think that that's important. We're moving downtown, we've moving downtown into a signature project, that's the only kind of project we'll move into. Don't build a parking garage, we won't move! It's that simple. We have to have a signature project, it is our criteria that we design the project because we are architect engineers and we will build this building, construction managers. There aren't that many signature projects that are going to be done in Fort Wayne, Indiana in the next few years, we know that. We hope that this is the spark that will ignite the fire to help other things happen, I sure it is. There have been some good development projects that have happened in Fort Wayne over the past 20 years, this is another one. But they don't happen that often, we want this project to be a signature project, it needs to have parking garage attached to it for our needs. Without the parking garage we are not going to move. We need to have parking for our employees, and it has to be attached and secured. The building also needs to be in a good environment, the biggest single negative effect of the G.C. Murphy's Building being renovated without an attached parking garage are the buildings in a deteriorated state that are across the street on Calhoun Street and Wayne Street. Nobody in their right mind would spend 7 1/2 or 8 Million Dollars to renovate that building with that stuff across the street, less be realistic. That's the way it is. Our company is willing to put our assets on the line and invest a lot money in rent and time and effort to go into this project. All I'm asking you for is for you to vote in favor of the project. I'll answer any questions.

Emily Kass: A couple of people raised the question of other locations for the parking garage. Could you comment on that.

Mike Gouloff: The parking garage, as a tenant in this building has to be attached. One for safety, we have to keep some people that work in the evenings, it has to be attached, and it has to be a direct access, we don't want our people going down to the street and walking at night to their cars, two or three blocks. We want it to be close and that was a stipulation when we began talking to the developer about us going into the project. In terms of whether or not parking garages could be built in other locations, sure. But that's not what we're talking about here, in terms of tenant, I want that garage. You know what employees and office space in downtown are like, they'd like to take their cars to their desks with them. It's got to be as close as it can be.

George Simler: It's my understanding that part of the use of the parking garage will also serve the Commerce Building. How does that, in your estimate, lend to the economic viability of the G.C. Murphy Project.

Mike Gouloff: I would have to defer that to Mr. Huber. That's kind of out of my area.

George Huber: I would like to address that.

Emily Kass: One more, someone else raised the issue of the parking garage being detrimental to the selling of Midtowne property.

Mike Gouloff: You know, there was a comment about the parking garage being a seven story stack of spandrels. You know, we happen to do the Renaissance Building. Renaissance Building, we believe, based on the comments we received is a positive asset to the community. And it has a seven story parking garage across the street from it. Now, I dare say that most of people that look out of their windows in One Summit Square probably prefer to see that seven story parking garage sitting there full knowing if its making money, knowing that it's going to be there for a long time, then a parking lot with some less than desirable trees stuck in a few corners. I think the parking garage is a very positive asset to the community. Other people here talked about the need for it, I can only tell you what my need will be, what our employees needs will be. I think we live in a era that requires parking, we may not like it, there was a gentleman here that spoke about the fact that we need to support our public transportation. I agree. We should support our public transportation. I don't see this parking garage detracting from that, one of the key issues, when I was involved with city planning for the City of Fort Wayne, I was Director of Planning for the central business district in 1972-1973. I worked with Ron, we worked together then, and one of the key issues was parking. It has always been a downtown issue, it's not just a downtown issue in Fort Wayne, Indiana go to Chicago, its the same thing. No matter how vibrant the community is parking is an issue in downtown. It's not special, our criteria really aren't any different than any other cities.

George Simler: Thank you. Ok over in the right.
Ok George have a seat, but Kim Zuber would like to say something.

Kim Zuber: I have to leave, I have a personal commitment that was made long before this meeting was scheduled. I hate to leave before the vote, I appreciate all of the presentations today. I just want to pass on to my fellow Commissioners before I leave that I approve passing Resolution 91-61. Hopefully I won't have to vote on it down the road sometime.

Joyce Byers: My name is Joyce Byers and I have a little shop at 814 1/2 South Calhoun Street. I haven't been downtown very long, approximately a year now. I think we're all in favor of the Murphy

Building renovation, and I'm also in favor of the parking garage. However, I feel for the downtown merchants that are involved in it. Since know one has actually came up with a solution, I don't know if this is a solution. For one thing, how about building a parking garage above the existing stores, and when that is renovated, you know renovate a little bit of the down stairs area. Maybe that's one solution, maybe it isn't. Again, I was just voicing my opinion, I think the parking garage is needed downtown. I don't know if that is the best place for it or not. But, speaking for myself I need a parking garage for future customers and future business for me to exist. Any questions? Thank you.

George Simler: Anything on the right? Left?

George Huber: I'm George Huber of Murphy & Associates, President of Murphy & Associates. Hopefully, what I'd like to do is just give some rap up comments from our side and answer any questions that you all may have. We have agreed that if the Redevelopment Commission makes the quarter block a redevelopment district that we would bid to purchase, at whatever the bid prices specified by the Redevelopment Commission, that we would agree to invest approximately \$15 Million Dollars into building a parking garage, a skyway, and an office Building, the G.C. Murphy site. In that we agreed to put retail along Calhoun Street, which is not an economically intelligent thing to do. If we are not able to buy the property the Redevelopment Commission puts up for bid we will not develop the Murphy's Building. The project plan briefly is 75,000 sq. ft. 5 level office building in the former G.C. Murphy Building space. The building has been designed to be a landmark, a signature building using granite, travertine, and marble, the building is designed to be premium class A space, state of the art HVAC System, state of the art energy management system, state of the art elevators, fire safety etc. The walkway has been designed with the hopes of providing a monumental walkway, or something to enhance the intersection. The parking garage has been designed for 451 cars, and as I said with retail space on Calhoun. And it too has been over designed for what a typical developer, or anyone would want to build if they could. The building has been designed, and the parking garage has been designed to take into account what's there with Midtowne Crossing and what will be there with the new park. To answer some questions, I think there has been addressed or brought up. We and a number of other developers, probably every developer, or broker, anybody who wanted to be a real estate investor in Fort Wayne, has looked at the Murphy's Building over the last decade. Murphy's has been out since the mid-80's, we have taken a hard look at it the last 2 1/2 years. Why we have been looking at it, we know other developers from Chicago and Indianapolis have looked at the project. In looking at it we looked at all possibilities in developing it. We looked at making it retail, we looked at making it warehouse, we looked at making it office, and we looked at making it residential. Every scenarial we looked at had two major problems, one, no matter what you put there, with the exception of just a warehouse, you needed parking. And two, no matter how much you invested in that quarter block where the Murphy's Building is you had dilapidated and unkept buildings directly across the street. The scenarial in coming up with what we felt would want our \$15 Million Dollar investment, or whatever it would be, the multi-million dollar investment was to make an office building, the only thing we thought would work would be to make it first class or as we said a landmark office building. Which we think will be the nicest building in town. In looking at that, we looked at ripping the entire side down and building a parking garage on top of it like Standard Federal, we looked at parking within it, we looked at adjacent parking, we looked at parking in blocks outside of the city. One of the things that Bob Morton said, points out the exact problem, he said his parking garage only one day a month is full. It's because its on the outskirts of the city, the Renaissance parking garage is 100% full. Fort Wayne National Bank Building garage is 100% full, both with waiting lists. Unfortunately when you develop, at least to

downtown tenants, and you expect to bring someone like Schenkel & Schultz from the suburbs where parking is at their doorsteps you have to be able to provide the same thing in downtown. I guess another proof to that, go ahead I'm sorry.

Steve Hill: I'm curious about the design of the parking garage. Is that designed to be expanded upward in the future?

George Huber: No it's not. Not to my knowledge, the cost would be prohibited to be able to beef up the structure to be able to start adding on top of it. There's also a point which it know longer, it's just as far out as it is up. Because if someone has to drive around for 20 minutes to get to the top then nobody's going to park there anyway. The proof I guess for having to have an attached parking garage has been the last three major office developments in downtown Fort Wayne. The Standard Federal Building, the Renaissance Square, and One Summit Square, all have attached parking garages. The other critical issue and really as critical as having an attached parking garage is the condition of the quarter block across the street. We couldn't make this building a landmark building, we couldn't invest \$10 Million Dollars into this building, any amount of million of dollars into the Murphy's Building and have across the street dilapidated, unkept, pigeon infested, vacant buildings. The tenants that we talked to Schenkel & Schultz has expressed their lease requirement that unless that block is demolished and turned into the parking garage they will not lease there. INB, there first stipulation when we presented it to them months ago, "we can't have that block look like it does now." We need attached parking, thirdly, we brought in a lender, a long term lender, they would not lend based on the condition of the quarter block across the street. The parking garage in itself I would love to not do, it is a totally uneconomic situation. The reason people build in the suburbs is because you don't have to building a parking garage, parking is free. The reason that we are able to do that, and the reason that it is Murphy & Associates is that we do have a number of other buildings in the area that we can attach and that require parking. The reason that it has to be on this block in addition to having the attached, the only other area, and Midtowne is new, no other area would be the park across the street which hopefully no one would suggest that we ripped down a park in the middle of a Civic Center and build a parking garage. The reason that this works is that we are able to attach the Commerce Building which is directly adjacent to this quarter block. The parking garage, well I guess it benefits to the community which has been talked about for the most part here, are that one renovated Murphy's Building will remove a long vacant building from the midst of downtown, two, two hundred construction jobs will be provided immediately to the Fort Wayne community, and three 350 new employees will be downtown, these new employees will benefit the existing retailers that are now in the parking garage block who may decide to stay downtown, it will benefit the PTC by bringing in new bus riders, it will benefit the hotels, it will benefit all commercial businesses down there. Lastly, in terms of the office building the taxes that are estimated for this project are over \$150,00. The existing taxes on those two quarter blocks are \$40,000. That obviously helps the entire community. The parking garage as I said is a pre-requisite we could not build the office building without the parking garage, and we could not build it unless it's attached. The parking garage, besides allowing the development of this building will clearly benefit Midtowne Crossing and only by providing parking for the retail space which is the first rule of any retail development if you have to have adjacent parking. Secondly, it will bring other businesses downtown. Finally, the parking garage we talked about historical buildings here and architectural significant buildings and Murphy & Associates started, or at least was one of the founders of downtown renovation rehabilitation. We own the Commerce Building which is a 1920's building, 12 stories, we own the Paine Weber Building which is a 1908 building, 9 stories, and the Strauss Building, an early 1900 building, and 7 stories. We have renovated our

buildings we began the renovation over 25 years ago. We renovated those with the hopes that the surrounding buildings would be renovated. Our buildings are now in need of renovation again, we cannot put in the millions of dollars that it would take over the next 25 years to keep those buildings standing, to keep those certainly more architecturally significant buildings on the skyline if we don't have this parking garage. I'll be happy to answer any questions.

Dave Boyer: I have a question Mr. Huber. You've spoken about the parking garage and being uneconomical especially since commercial is being required along Calhoun. Would you have been able to put this project together without the participation of the Redevelopment Commission.

George Huber: No we could not.

Dave Boyer: Thank you.

George Simler: Thank you. Okay, right side. Left side. Glad to see that. I see no hands indicating anyone wishing to speak. Oh - yes I do.

Gerald Walker: Is this the for and against session now, or not.

George Simler: We are just ending now, if you are wishing to speak for. Sir, you will need to come up to the table and give your name and address for the record.

Gerald Walker: My name is Gerald Walker of 3736 Stallcrest Road, I just have one little comment, which may cause a lot of upset feelings I think. I happen to be one of the trustees at the alcove part of the Murphy Building and there has been a lot said about pros and cons against this building. I feel that it's about 99%, we are 99% and 9/10% of being favor of this building. I think it would be a boom to not only the downtown area but the whole city of Fort Wayne. It has been mentioned however that the ARCH program would like to save the buildings because they are pre-civil war. I'm sure that if you have a close examination of that building you would find very little left of that building that would even fit in with the civil war era. I would suggest that possibly as a face saving gesture, if nothing else, and I'm sure probably that the developer would go along with it, to put a suitable plaque in the parking garage area where this building would have been formerly located. Possibly, even with a drawing sketched in bronze showing how the building was originally. And that there is nothing left of that building now anyway, other than the print of it. I think that this would pacify everyone and would be a very attractive addition to the parking garage.

George Simler: Thank you sir.

Dave Boyer: I have a couple of questions. Mr. Reynolds.

Gerald Walker: Walker

Dave Boyer: How long have you been a trustee of the alcoves.

Gerald Walker: Well - I've been a member of the ??? since 1946, I've been a trustee now for two years now, no three years.

Dave Boyer: And you've been aware of how long your space that you used to rent to Murphys was vacant.

Gerald Walker: Yes I have.

Dave Boyer: Has that the building on the block to be sold?

Gerald Walker: Yes it has.

Dave Boyer: And you haven't been able to sell it until this project came along, is that correct?

Gerald Walker: Yes, that's correct.

Dave Boyer: Thank you.

George Simler: That's all sir, unless there something else you wanted to say. Okay - anybody else wishing to speak for the project? Seeing no hands, we will move into a portion called other comments, for whatever purpose that is. I'm not sure why that's there, I suspect we'll find a reason.

Dave Boyer: I would like to ask Mr. Fletcher just a few questions. Mr. Fletcher you've previously been identified for the record. In your capacity as Director of Redevelopment you're frequently aware of proposals for various projects in the downtown area. Is that correct?

Ron Fletcher: Yes

Dave Boyer: Have you been familiar with the status of the Murphy Building and the buildings across the street over the last eight years?

Ron Fletcher: Yes I have.

Dave Boyer: Has there been a drive to develop that with private funds?

Ron Fletcher: No. Not until this point any how.

Dave Boyer: And this the first serious offer that has come this far.

Ron Fletcher: Yes

Dave Boyer: And you heard the testimony here, you've been in the area, you're familiar with the building, you're familiar with the staff studies. Based on your experience in redevelopment and planning field and your real estate experience as a licensed broker would you give the Commission your opinion as to whether or not the buildings in the redevelopment amendment area constitutes blight.

Ron Fletcher: I think that the evidence presented in regards to data pertaining to declaratory resolution adequately addresses that, and proves that there really are blight within that particular area.

Dave Boyer: And you concur with that finding?

Ron Fletcher: Yes, I do.

Dave Boyer: Thank you.

Steve Hill: Ron, of the subject of relocation, can you go through eligible costs that are over and above or apart from the consideration of the capped items.

Ron Fletcher: Yes. In the payment for actual reasonable expense, and moving and related expenses, according to Indiana Code 8-23-17-(b) 1. The eligible costs could be transportation of personal property, the packing crating, uncrating, and unpacking of personal property, disconnecting, dismantling, and removing reassembling and reinstalling, relocation of machinery, equipment, and other personal property. Installing ??? personal property, this includes connection to utilities available near by, it also includes modification to the personal property that are necessary to adapt it to the replacement of structure for the replacement of site. Storage of the personal property for six months, insurance, all

licenses, permits, and certification required of the displaced person at the replacement location, professional services necessary for relocation which is moving of personal property, installing and relocating personal property at the replacement site. Relettering signs, replacing stationary, actual direct loss of tangible personal property incurred as a result of moving or discontinued business. Actual direct loss of tangible property, let's take for instance there is fixed assets within the building that cannot be moved, those assets can be appraised accordingly and the price will be paid as it relates to the appraised value. That would be loss of personal property within the particular period. Goods held for sale is another area that could potentially be acquired through that particular section, inventory, cards with your name on them that would have your address for that particular site. So, there are a whole realm of areas where there is not a maximum as it relates to the acquisition. Let me go on, the reasonable and cost incurred in attempting to sell an item that is not to be relocated, purchase of substitute of personal property, sometime its better to buy substitute property and relocate, put it in the new facility rather than moving the old personal property. Searching for replacement location....

Dave Boyer: Your done with the ones that are capped. Search for a new location is \$500.00 maximum, just for your time and effort to go out and find a new location.

Ron Fletcher: There is another section which is payment for re-establishment expenses.

Dave Boyer: And that is the \$10,000 cap that everybody is talking about.

George Simler: Now, do we also consider goodwill, the improvements to the area.

Dave Boyer: By law we cannot pay for goodwill, but you have to remember what we're talking now is relocation expenses. The appraised value of the interest in the real estate, the fair market value of the interest in real estate is where you buy the business interest, the tenants or the landlords interest. "A combination of economic return of the property, in other words the revenue generated by the property. Yet also takes into consideration the comparable pieces of property that are sold. Then there is another item that is just called 'Fair Market Value', which is replacement cost less depreciation. Usually the appraisal is a computation of the three and discounting factors and they come down with a bottom offer."

R. Steven Hill: "Everybody in the room hear that now?"

Ron Fletcher: "The only thing would be the appraisal also. Not only the real estate section would be the leasehold interest within the real estate. Sometimes, there are leasehold interests in that they are real estate especially if you have a preferred lease involved. When we go through the appraisal process those will be taken into consideration also."

R. Steven Hill: "How are the appraisals set?"

Ron Fletcher: "There is two appraisals, through two independent appraisers and we take the average of the two appraisers and we take the average of the two appraisals. That's the offer that is made."

George Simler: "Now is that, you said the offer that is made, is it a take it or leave it?"

Ron Fletcher: "No, No, No, No!!"

R. David Boyer: "Tenants still, or property owners still has the

right to object and then you go to what's called eminent domain. Which involves a three appraiser process appointed by the court when you file a condemnation lawsuit, then you follow the procedure."

Ron Fletcher: "If in the course of an appraisal and then we make an offer and the owner objects and they can show evidence that something was not taken into consideration or as relates to the appraisal, we will resubmit it back to the appraisers and take a look at and make a determination."

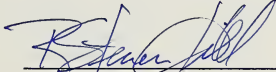
R. Steven Hill: "I just have one more question of either you or Greg Purcell. Are either of you aware of any renovation type assistance that was offered in this same general quarter block at any time in the past?"

Ron Fletcher: "Yes, there was some Facade Grant Programs that the City had and have had for the last few years. I don't think there is anybody within that particular quarter block that has applied for the Facade Grants."

Greg Purcell: "Not to my knowledge, that there has been anybody that has taken advantage of it. The program has been available for a number of years and its one of the things that is a stimulus to help restore properties and none of these property owners has taken advantage of it."

George Simler: "Are there other questions of staff? If not, Ladies and Gentleman, I want to thank you very much. We've been through an awful lot of testimony over the past couple hours and you conducted yourself very, very well. I really appreciate that. I hope that you all feel that you have been well heard. And with that we will adjourn the public hearing session and I will probably even ask for a five minute break. So we are adjourned as to the public hearing. You are certainly welcome to stick around for the regular meeting, which will be up rather shortly."

FORT WAYNE REDEVELOPMENT COMMISSION



R. Steven Hill, Acting Secretary

ADOPTED: November 13, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING
MINUTES
SEPTEMBER 9, 1991**

TIME: 3:30 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill,
Kim A. Zuber, Emily S. Kass

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Greg Purcell, Director of C&ED
Mike Sapp, Director of Planning

CALL TO ORDER

Mr. Simler called to order this Public Hearing of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Member Benjamin A. Eisbart was not present during this Public Hearing.

Public Hearing Reference to Declaratory Resolution 91-58, Amending the Civic Center Urban Renewal Plan and Allocation Area

Mr. Simler noted that all persons wishing to speak against and for the project will have ample enough time to speak. Mr. Simler asked the audience to refrain from any out bursts, and hostile actions.

Commission Attorney R. David Boyer requested from the Chairman that he would like to begin the presentation in a form of questions and answers beginning with interrogating staff members of the Redevelopment Commission. Mr. Boyer asked several questions of Ron Fletcher in determining Mr. Fletcher's expertise in the area of Redevelopment. Mr. Fletcher mentioned that approximately 7 blocks are involved in the Civic Center Urban Renewal Area. The amendment will include any additional 7.5% to the existing renewal area. Mr. Fletcher also mentioned that proper notice was given to the land owners, the tenants, and other property owners located within the renewal area. The amendment to the Civic Center Urban Renewal Area was published in two (2) newspapers at least 10 days prior to the public hearing.

Attorney Boyer asked Loren Kravig to introduce himself, and familiarize the Commission of his background and expertise in the area of Redevelopment and planning. Mr. Kravig informed the Commission that he was assigned the duties of gathering data, perform analysis, draft plans, and studies of blighted areas in the City of Fort Wayne. Mr. Kravig noted that he was assigned the position of gathering data, consulting with local real estate experts, the Historic Preservation staff, review the records of the Wayne Township Assessors Office, and to provide photographic evidence in order to prepare a study entitled Data to Substantiate a Finding of Blight, which was presented to the Commission as Exhibit F.

Attorney Boyer informed the Commission that he would like to offer as Exhibit A, consisting of a map of the renewal area, Exhibit B, consisting of a map of vacant space at street level, Exhibit C, photos of the various buildings in the area, Exhibit D consisting

of the Downtown Comprehensive Plan, prepared by Trkla, Pettigrew, Allen & Payne, Exhibit E consisting of a Comprehensive Plan prepared by the City of Fort Wayne, and Exhibit G being the Civic Center Urban Renewal Plan amendment VII. Attorney Boyer introduced Mike Sapp, Director of Planning to the Commission. Mr. Sapp noted to the Commission that he believed that the Commission was in compliance with the Comprehensive Plan. Attorney Boyer requested entering in, as Exhibit H, a memo from Mike Sapp entitled C&ED Memorandum to the Redevelopment Commission.

Attorney Boyer noted that 2 remonstrance(s) have been filed with the Redevelopment Commission against the INB project. The first and second remonstrance(s) was filed August 30, 1991.

Citizens speaking against the INB project were:

Jack Scheere-Red Dog Cafe	Jane B. Keeney-Barbers
Soafun Yip -Jeremy's	Dale Taylor-property owner
Kent Holly -824 S. Calhoun	Randy Welchel-Loaf & Ladle
Bob Morton -PTC	Craig Leonard-Historic Consultant
Bonnie Taylor	George Martin-826 S. Calhoun
Gretchen Weigel	Karen Kiemnik-Historic Landmark Foundation

Citizens speaking for the INB project were:

Steve Wesner-Goldstine, Inc.	Larry Shine-916 S. Calhoun
Bob Beckert-Calhoun St.	Al Zacher-225 Anthony Wayne Bldg.
Pete Springer-Calhoun St.	Rod Howard-110-112-114 W. Wayne
Coldwell Banker-Salad Galley	Fletcher Moppert-128 W. Columbia
Tim Dirig-Arch, Inc.	John Spillson-832 Calhoun
Mike Gouloff-Schenkel/Schultz	Joyce Byers-814-1/2 Calhoun
George Huber, Murphy & Assoc.	Gerald Walker-Trustee/Murphy Bldg.

George Huber informed the Commission that the parking garage would be an uneconomical project for him, simply because commercial is being required along Calhoun Street. Mr. Huber went on to say that this project could not have taken place without the help of the Redevelopment Commission.

Seeing no hands wishing to speak against and/or for the project, Mr. Simler suggested moving on to other comments on the agenda.

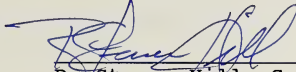
Attorney Boyer announced that he would like to ask Ron Fletcher some additional questions pertaining to this project. Ron Fletcher stated that in his capacity as Executive Director for the Fort Wayne Redevelopment Commission he is frequently aware of proposals for various projects in the downtown area. Mr. Fletcher stated that he has been aware of the status of the Murphy Building and the buildings located across the street for the past 8 years. Mr. Fletcher mentioned that there has been no contact made to him regarding the development of the Murphy Building by anyone until he was contacted by Murphy & Associates. Mr. Fletcher went on to say that in his experience in redevelopment, planning, and as a licensed broker, he believes that the properties in question located within the amended urban renewal area, and based on the investigations of the properties, and studies, the properties in question does constitute blight.

Mr. Hill requested Mr. Fletcher and Attorney Boyer to go over eligible costs that are over and above and/or apart from the consideration in terms of relocation expenses. Mr. Fletcher briefly discussed some of the potential areas that the tenants and property owners would be compensated for as part of the relocation act.

Minutes
September 9, 1991
Page -3-

Mr. Simler asked again if there was anyone else present that wished to comment before adjourning the Public Hearing. Hearing no response, Mr. Simler made a motion to adjourn the September 9, 1991 Public Hearing.

FORT WAYNE REDEVELOPMENT COMMISSION



R. Steven Hill, Secretary

ADOPTED: November 13, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
JANUARY 22, 1991**

TIME: 4:00 P.M.

PLACE: Mayor's Conference Room - 9th Floor

MEMBERS PRESENT: R. Steven Hill, Benjamin A. Eisbart,
Emily S. Kass, Kim A. Zuber

MEMBERS ABSENT: George F. Simler, III

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: None

CALL TO ORDER

Mr. Hill called to order this special meeting of the Fort Wayne Redevelopment Commission.

APPROVAL OF MINUTES

Mr. Hill made a motion to approve the December 10, 1990 Minutes, second by Ms. Kass.

APPROVAL OF CLAIMS

Mr. Hill made a motion to approve the December 1990 claims, second by Mr. Zuber.

NEW BUSINESS:

Midtowne Crossing Update

Construction Update/Budget Update - James C. Lindsay

Mr. Lindsay reported to the Commission that the construction at Midtowne is complete. The project is now in the "warranty" stage, which is exactly 1 year from the date the Certificate of Occupancy was issued. There are only (2) contractors left on the premises, Thorlief Larson with respect to the masonry veneer, and Custom Decorating with a small amount of painting yet to be completed.

Jim presented a consolidated financial statement which outlined total expenditures and appropriations for the Midtowne Crossing project. The appropriations from the 1983 and 1986 bond issues were reviewed, as were the appropriations for alley and sidewalk work and the advance of funds to the project from the future sale of the Vogue Building. The outstanding obligations were reviewed, dealing primarily with the payment of Irmscher's additional fee and the contract balances for construction work. Additionally, expenditures are listed which summarize project costs which were paid but were not a part of a particular contract. These include payments to the City Contract Compliance Division, City Utilities, and Lupke-Rice Insurance Agency. After all expenditures are deducted from the appropriations, a balance of approximately \$3,000.00 remains.

Jim then briefly reviewed the status of closings on Midtowne Crossing units. 24 historic and 1 non historic units have closed and Roth & Wehrly has 3 offers presently in hand. Ivan Lebamoff's two units in the Hutner Building will most likely be the next ones to close. There are five remaining contracts under Bob Hudson which are presently under review by Redevelopment Commission staff.

Ron Fletcher reported that he had discussed the leasing of commercial space with Steve Wesner, Goldstein-Northill, in order to update the Commission on his progress. Steve said that there is a lot of interest in the project but he is continually running into the obstacle of nobody wanting to be the first commercial tenant in the project. Discussion followed about incentives which could be offered to encourage the first tenant to locate in one of the commercial spaces. It was agreed that prospective tenants must be encouraged to make an offer so that it can then be evaluated in terms of incentives which could then be offered in order to make a deal come about.

Resolution 91-1

**Approving contract for professional legal services
(Helmke, Beams, Boyer & Wagner)**

On a motion by Mr. Eisbart, second by Ms. Kass Resolution 91-1 was approved.

Resolution 91-2

**Approving contract for professional legal services
(John J. Wernet)**

On a motion by Mr. Eisbart, second by Ms. Kass Resolution 91-2 was approved.

Resolution 91-3

**Ratifying the selection of a contractor to undertake a Phase I
Environmental Site Assessment in the Headwaters Park District**

This Resolution refers back to the agreement between the Redevelopment Commission and the Division of Community & Economic Development for the expenditure of \$100,000 in Block Grant money. The cost for this site assessment will not be a Redevelopment expense. The Headwaters Park Commission has identified the property formerly known as the Poinsatte Automobile Dealership located within the "thumb" for potential acquisition. Staff has solicited four proposals to perform the environmental work, and recommends the services of Air Contamination Identification at an amount not to exceed \$1,000.00.

On a motion by Mr. Zuber, second by Mr. Eisbart, the Commission ratified the staff's selection.

Resolution 91-4 & Resolution 91-5

**Ratifying the selection of a surveyor for the Baker Street Railroad
Station**

**Ratifying the selection of a contractor to provide a title search
and insurance for the Baker Street Railroad Station**

The Redevelopment Commission has, by virtue of Resolution 90-31, entered into an agreement with the Division of Community & Economic Development to provide professional services for redevelopment of the Baker Street Station. It is necessary to engage a surveyor in order to accept title to the station, and a title company to provide a title search and insurance. Staff has solicited proposals, and recommends the services of Anderson Surveying to perform said survey of the property in an amount not to exceed \$750.00, and First Land Title Company to undertake the title work, in an amount not to exceed \$ 725.00.

On a motion by Mr. Zuber, second by Ms. Kass, the Commission ratified the staff's selection.

Resolution 91-6

Accepting proposals for professional financial services

Mr. Fletcher informed the Commission that he has prepared and sent out a Request for Proposal (RFP) in order to hire a financial advisor for the Coldwater Crossing TIF bond issue. The scope of services is defined in detail in the RFP. In general, their services will be to determine the feasibility, structure, and amount of the bond issue and prepare the official statement. After reviewing all of the proposals that were submitted, the Commission and staff agreed that Springsted, Inc., would be hired and the Director will negotiate the bond issue part of the fee to a lower amount.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-6 was approved subject to the availability to adjust the fee.

Resolution 91-7

Approving the release of retainage funds for Midwest Caulking, Inc., Art Iron, Inc., and Schmidt Electric, Inc.

Mr. Lindsay informed the Commission that these requests are standard release of retainage funds, and have been reviewed and verified by the Construction Manager, Architect and Executive Director with no objections.

On a motion by Mr. Eisbart, second by Ms. Kass, the Commission ratified the release of \$68,199.68 in retainage funds.

Resolution 91-8

Approving Real Estate Lease Agreement with Harrison Garage Association L.P.

On March 23, 1989, the Redevelopment Commission entered into an agreement with the Harrison Garage Associates, L.P. for the development of a parking garage on the northwest corner of Harrison and Main Street. After negotiations, Mr. Irmscher and staff agreed that the Redevelopment Commission should continue to receive the \$1500 per month parking lease payments until the developer began construction. Mr. Irmscher agreed and the Commission has been receiving the payment accordingly each month. This verbal agreement was never put in writing since everyone thought that the garage would be built. The land was titled to the Harrison Garage Associates L.P., and therefore became taxable. Since the developer was receiving no income from the property and the Commission is receiving the monthly revenue as we did in the past, Mr. Irmscher is proposing that the Commission lease the property from the Harrison Garage Associates, L.P. for \$1.00 per year and continues to receive the lease payment so the property becomes non-taxable. Mr. Irmscher has discussed this with the County attorney and David Boyer and both have agreed to the agreement.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-8 was approved.

Resolution 91-9

Approving the selection of a contractor to undertake a Phase I Environmental Site Assessment of the Baker Street Station

The Redevelopment Commission has, by virtue of Resolution 90-31, entered into a agreement with the Division of Community & Economic Development to provide technical services for redevelopment of the train station. The Commission will be fully reimbursed for contracts executed in connection with the acquisition, construction, and marketing services necessary to redevelop the station. It is necessary that a Phase I Environmental Site Assessment take place in order to determine that no environmental liability exists to hinder the marketing of the property. Staff

has solicited four proposals to perform such work and recommends the services of ATEC Environmental Consultants in an amount not to exceed \$ 1,200.00.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-9 was approved.

Resolution 91-10

Allowing the Designation of property as an Economic Revitalization Area for the Tokheim Corporation

Mr. Fletcher informed the Commission that the Tokheim Corporation will be expanding their operations to include an additional 47,000 sq. ft. to the existing facility, with an investment of \$2.3 million dollars, additional equipment of approximately \$2.0 million dollars, and 250 additional permanent jobs. Because the facility is located in an urban renewal area, the Commission would need to make a recommendation as to whether or not they approve or disapprove the designation of the area as an Economic Revitalization area. Because this information was brought to the attention of staff at the very last minute, staff is asking the Commission to approve Resolution 91-10 subject to it being prepared.

On a motion by Mr. Eisbart, second by Mr. Hill, Resolution 91-10 was unanimously approved, subject to it being written.

Discuss Doubleday Building Project

Mr. Fletcher reminded the Commission that at the December 10, 1990 Commission meeting, it was briefly discussed that Arts United has requested from the Commission \$50,000 for the development of the Doubleday Building. The Commission asked staff to develop a set of standardized guidelines for evaluating future requests of redevelopment funds. The Commission and staff suggested for inclusion in the guidelines that the project must be within an established urban renewal or economic revitalization area, the project should further the objective of eliminating blight and stimulating development in the immediate area, and must be in compliance with the downtown comprehensive development plan. Also, the Commission will consider the extent and timing of private investment as a match for redevelopment assistance.

Discuss Ron Bonar Sidewalk Project

Mr. Fletcher stated that the City will be repaving Harrison Street from Main to Superior in 1991. City Engineering is requesting that if there are any curb and sidewalk projects in the repaving area they should be done before or at the same time the repaving is done. They do not want to install new paving and then have a land owner cut the new paving in order to put in new curbs. Mr. Fletcher had a meeting with Ron Bonar and City Engineer in reference to putting curb and sidewalk around Mr. Bonar's building on Harrison and Pearl Street. The City committed in 1987 approximately \$33,000 for curb, sidewalk and streetscape improvements subject to Mr. Bonar going forward with his proposed historical condominium project. Mr. Bonar is requesting that the Commission participate in a curb, sidewalk and streetscape project which would assist him to market his building for a project. Mr. Fletcher stated that Mr. Bonar would be willing to provide the necessary engineering and put together the bid packets and pay for 50% of the construction cost. The estimated cost for the project is \$44,000. Mr. Fletcher suggested that we consider participation to a maximum of \$25,000. After a brief discussion, the Commission asked that Mr. Bonar attend the next meeting and that Mr. Fletcher put together an evaluation instrument in order to evaluate projects.

Discuss 1991 Goals/Objectives/Work Program

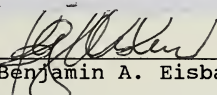
The Commission and staff discussed the focus for the 1991 calendar year. The Coldwater Crossing Project was discussed, the TIF Bond process, and the priorities of the downtown projects, in regards to parking in the downtown area.

Discuss Robert L. Hudson

A motion was made by Mr. Eisbart, seconded by Ms. Kass to authorize the Redevelopment Commission staff, and legal counsel to pursue legal actions against Mr. Robert L. Hudson, d/b/a Midtowne Real Estate, Ltd., in order to secure the return of Midtowne Crossing Owner's Association funds, escrow funds, and property belonging to the Midtowne Crossing Owner's Association. Such legal action will be brought through Midtowne Crossing Associates.

With no other business to discuss, Mr. Hill made a motion to adjourn the meeting, second by Mr. Eisbart.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary
ADOPTED: February 21, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
FEBRUARY 21, 1991**

TIME: 5:00 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: R. Steven Hill, Benjamin A. Eisbart,
Kim A. Zuber, George F. Simler, III

MEMBERS ABSENT: Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Jeff Gearhart, Kennedy Development Services
Alan Grinsfelder, Doubleday Building
Rod Wilson, Summers & Company
Tom Cheviron, Roth & Wehrly
Steve Wesner - Goldstine-Northill
William Haynie, Midtowne Executive Suites

CALL TO ORDER

Mr. Hill called to order this regular meeting of the Fort Wayne Redevelopment Commission.

APPROVAL OF MINUTES

Mr. Eisbart made a motion to approve the January 22, 1991 Minutes, second by Mr. Zuber.

APPROVAL OF CLAIMS

Mr. Hill made a motion to approve the December 1990 additional claims, second by Mr. Eisbart.

OLD BUSINESS:

Arts United - Doubleday Building Renovation - Alan Grinsfelder

Alan Grinsfelder representing Arts United submitted a \$50,000 funding request for improvements to the Doubleday Building at the December 1990 Commission meeting. Staff has prepared a standardized project review form that can be used when requests for funding are being asked of the Commission. Loren Kravig explained that a project must adhere to the following guidelines in order to qualify for assistance consideration from the Commission.

1. The project must be located in an established urban renewal or economic revitalization area.
2. The project must be in compliance with the downtown comprehensive development plan, and or the applicable urban renewal or economic revitalization plan.

Also, the Commission will take the following factors into consideration when evaluating a request for assistance.

3. The Commission will assess the degree to which the project benefits the areas as a whole; the dollar value; and the timeliness of private investment as a match for redevelopment assistance.

4. The project should further the objective of eliminating blight and stimulating development in the immediate area.
5. The Commission's assistance will generally take the form of improvements to the public right-of-way, including, but not necessarily limited to street lighting, pavement, curbs, and sidewalks.

NEW BUSINESS:

Midtowne Crossing Construction Update - James C. Lindsay

Jim Lindsay reported to the Commission that there has not been any significant change in respect to the Midtowne Crossing Project. Jim handed out a continuation of the financial statement from the last Commission meeting. The only changes that transpired since the last Commission meeting was that the January payments were made, there have been 3 additional change orders totalling \$920.00 for roof work, electrical work, and some painting. There are also and some additional reimbursables that Irmscher & Sons, Inc. will be requesting. These reimbursables represent payments for city permits, city utility bills, a water bill, power bill, and security for the project. Mr. Fletcher noted that if the Commission receives any additional money back from the arbitration, he has calculated the Commission's contribution to the project at approximately, \$5.550 million dollars.

Jim also informed the Commission that the \$53,000 amount, indicated on the report, has been paid to Lupke-Rice, City Utilities, and Contract Compliance which represent project insurance premiums, city utilities street light work and inspections for the project, and also contract compliance for the individual contractors.

Tom Cheviron - Roth & Wehrly

An offer has been made on the Vogue Building, the parties that are interested in the property still need to sign the agreement. The construction stage of Midtowne is complete, any actions going on over there now, are very minor.

Tom Cheviron informed the Commission that there are currently 25 units closed to date, 24 historical and 1 new construction. There are approximately 9 units pending, 5 historical and 4 new construction.

Steve Wesner - Goldstine-Northill

Mr. Wesner explained to the Commission that he has prepared a target marketing program to determine what businesses to go after. After identifying 112 prospective companies, as the "anchor type", these companies have been contacted by mail, and at least 12 have shown interest. Mr. Wesner explained that he expects a proposal for 4,000 sq. ft. of retail space within the next two weeks.

Midtowne Executive Suites, Inc. - William Haynie

Mr. Haynie and his associate introduced the concept of leasing out their three condominium units on a 30 day basis for out of town corporate clients. The units are fully furnished, with amenities such as irons, cribs, roll-away beds, maid service, parking etc. Mr. Haynie explained that there is a market for this type of service. Mr. Haynie expressed his concerns regarding the lobby area of Midtowne Crossing, as he feels that some decorative pictures and plants would accent the lobby area and make the project more marketable. Mr. Haynie and his associate made this presentation to the Midtowne Crossing Association, which the Association was receptive to the ideas that were proposed.

Rod Wilson - Summers & Company

Mr. Wilson gave the Commission a brief overview of Summers & Company's experience as an underwriter for bond sales. Mr. Wilson informed the Commission that Summers & Company would be available to take part in the bond process for the Washington Center/Coldwater Road Project upon request.

Resolution 91-11

Approving the release of retainage funds for the following three (3) contractors for the Midtowne Crossing Project

Jim Lindsay informed the Commission that the following contractors have been working on the Midtowne Crossing Project: Sun Control Center, Inc., Dealers Wholesale, Inc., Leon Brown, Inc., General Electric, Custom Decorating, and Louis L. Lengacher, Inc. The contractors have notified Irmscher & Sons that their work on the project is substantially complete, and are requesting the release of their retainage funds. The construction manager, and architect (except for General Electric, Custom Decorating, and Louis L. Lengacher), and the Executive Director have reviewed each request for release of retainage funds of approximately \$78,913.45 and have no objections.

On a motion by Mr. Simler, second by Mr. Eisbart, the release of retainage funds to the aforementioned contractors was approved.

Resolution 91-12

Approving the selection of Bond Counsel for the Washington Center/Coldwater Road Economic Development Area

Mr. Fletcher and the Commission, carefully reviewed each of the bids submitted for Bond Counsel by Ice, Miller, Donadio & Ryan; Baker & Daniels; Barrett & McNagny; Rothberg, Galmeyer Fruechtenicht & Logan; Barnes & Thornburg; and Beers Mallers Backs & Salin. After considerable discussion, Mr. Fletcher recommended the firm of Barnes & Thornburg to serve as Bond Counsel for the Washington Center/Coldwater Crossing Project.

On a motion by Mr. Eisbart, second by Mr. Simler, Resolution 91-12 was approved subject to further negotiations between staff and Barnes & Thornburg.

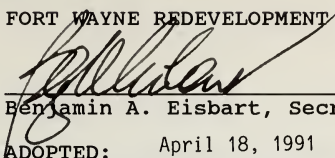
OTHER BUSINESS

Mr. Fletcher informed the Commission that in terms of the general fund, there is a short fall of approximately \$70,000 needed to run the Commission for the year. During the budgetary process, City Council did not approve all of the funds that were requested. All the funds could come from the 1986 TIF bond issue, but as an alternative \$40,000 could come from the 1986 bond issue, \$30,000 from the Coldwater Crossing Project, and \$15,000 out of the Meijers Project. Mr. Fletcher asked counsel to give an opinion for the use of the 1986 bond proceeds to reimburse our general fund. Staff and Counsel will be working together in transferring funds from the 1986 bond issue.

On a motion by Mr. Simler, second by Mr. Eisbart, the transferring of \$40,000 from the 1986 bond issue to the general fund was approved.

With no other business to discuss, Mr. Simler made a motion to adjourn the meeting, second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: April 18, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION MINUTES
FEBRUARY 21, 1991**

TIME: 4:00 p.m.

PLACE: City-County Building - Room 128

MEMBERS PRESENT: R. Steven Hill, Benjamin A. Eisbart,
Kim A. Zuber, George F. Simler, III

MEMBERS ABSENT: Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Jeff Gearhart, Kennedy Development Services

CALL TO ORDER

Mr. Hill called to order this Executive Session of the Fort Wayne Redevelopment Commission.

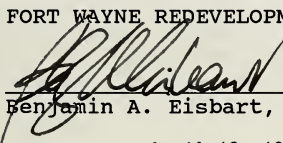
Discuss Midtowne Crossing Project

The sales and leasing of Midtowne Crossing was discussed, and construction problems resulting in potential litigation and arbitration.

Obtaining Bond Counsel for the Washington Center/Coldwater Road TIF Project was also discussed during the Executive Session.

With no other business to discuss the meeting was adjourned.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: April 18, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
MARCH 14, 1991**

TIME: 4:00 p.m.

PLACE: City-County Building, Conference Room 810

MEMBERS PRESENT: R. Steven Hill, George F. Simler, III,
Emily S. Kass, Kim A. Zuber,
Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Dick Treptow & James Hodson, Springsted
Rod Wilson, Summers & Company
Bob Hoover, Baker & Daniels
Ron Bonar, Bonar & Associates
Tom Pallone, City of Fort Wayne

CALL TO ORDER

Mr. Hill called to order this regular meeting of the Fort Wayne Redevelopment Commission.

NEW BUSINESS:

**Review Springsted Preliminary Financial Feasibility Study
Dick Treptow and James Hodson**

Mr. Treptow presented the Preliminary Feasibility Study and gave a presentation to the Commission outlining the areas of tax increment financing and the approach Springsted has taken with the Washington Center/Coldwater Road Project. The study calculates possible tax financing (TIF) under alternative types of debt structure (1) tax increment revenue (TIF Revenue Bonds) sold on a negotiated basis, (2) TIF Revenue Bonds sold private placement basis, and (3) lease purchase bonds (TIF Lease Bonds) supported by tax increment revenue. After considerable discussion the Commission determined that the "lease-purchase bonds" is not an alternative at this point. Mr. Treptow was directed to proceed pursuing alternative one and two (TIF Revenue Bonds).

Resolution 91-13

Approving Development Agreement for Meijers Realty Company

Mr. Fletcher informed the Commission that the City Plan Commission approved Meijer's rezoning request to allow construction of a shopping center on approximately 46.135 acres, located at the corner of Getz and Illinois Roads. The City has informed Meijer Realty Company that it is mandatory that certain off-site improvements to Getz Road take place in 1991 or as soon as possible. Meijer Realty Company has agreed to purchase the necessary Tax Increment Revenue Bonds from the Redevelopment Commission in order to make funds available to complete the off-site improvements to Getz Road and the Lawrence Drain. Mr. Hoover of Baker & Daniels acknowledged that the Meijer Realty Company is aware that if improvements are not constructed upon the development site, there will not be tax increment available to retire the bonds and Meijer Realty Company agrees to bear the risk.

On a motion by Mr. Simler, second by Mr. Zuber, Resolution 91-13 was approved.

Resolution 91-14

Approving release of retainage funds for Abell Elevator, Culligan Fire Protection, F & M Tile Terrazzo, and Overhead Door Company

Mr. Fletcher informed the Commission that the release of retainage funds for the above mentioned is a normal process and that these contractors have substantially completed their work on the Midtowne Crossing Project.

The Architect and Construction Manager, and Executive Director have reviewed each request for release of retainage funds in an amount not to exceed \$55,753.78, and have no objections.

On a motion by Mr. Simler, second by Mr. Zuber, Resolution 91-14 was approved.

Resolution 91-15

Approving Monetary Assistance to Arts United for Improvements to the Public Right-Of-Way Adjacent to the Doubleday Building

Mr. Fletcher informed the Commission that at the last Commission meeting, the Commission approved \$16,083.00 for improvements to the sidewalk adjacent the Doubleday Building. This Resolution is officially approving the motion that was made at the last meeting.

On a motion by Mr. Zuber, second by Mr. Simler, Resolution 91-15 was approved.

Resolution 91-16

Approving the Indemnification Agreement between the Redevelopment Commission and First Land Title Company and Stewart Title Guaranty Company

Mr. Fletcher reminded the Commission that at the last Commission meeting the issue of the mechanics lien filed on 2/4/91 against Midtowne Crossing Associates, Inc., and the Redevelopment Commission by Kennedy Brown Architects, Inc. in the amount of \$22,817.85 was discussed. Staff and Counsel have prepared an Indemnification Agreement to allow First Land Title Company and Stewart Title Guaranty Company to issue title insurance so that property closings may proceed. The Redevelopment Commission will be responsible for all claims, damages, expenses and attorney fees as a result of insuring over the mechanics lien in an amount not to exceed \$35,000.

On a motion by Mr. Simler, second by Ms. Kass, Resolution 91-16 was approved.

Ron Bonar - Sidewalk & Curb Project

Mr. Fletcher informed the Commission that the City has plans to repave Harrison Street from Main to Superior. The City would prefer any sidewalk and curb improvements that are going to take place be done now. Mr. Bonar is requesting the assistance of the Redevelopment Commission in repaving his sidewalk and curb around his property on Harrison and on the south side of his property. The estimated cost of improvements is approximately \$44,000. The Commission would participate on a 50/50 basis not to exceed \$25,000.

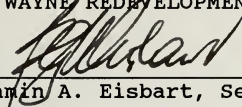
On a motion by Mr. Eisbart, second by Mr. Simler, the Commission unanimously approved the request for assistance by Mr. Bonar. Staff will provide the Commission with an appropriate resolution and agreement at the next scheduled Commission meeting.



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With no other business to discuss, Mr. Hill made a motion to adjourn the March 14, 1991 Redevelopment Commission meeting, second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: April 18, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING MINUTES
APRIL 18, 1991**

TIME: 4:00 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, George F. Simler, III
Emily S. Kass

MEMBERS ABSENT: R. Steven Hill and Kim A. Zuber

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Mark Krcmaric - Barnes & Thornburg
Dick Treptow - Springsted

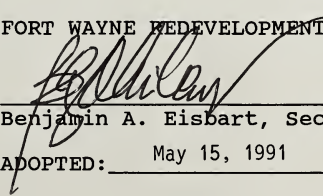
Request for additional appropriation in the approximate amount of \$2,700,000.00 to pay costs of redevelopment projects (Washington Center Road, I-69 overpass, drainage) and incidental expenses to be incurred in connection therewith and on account of issuance of bonds.

Mr. Eisbart called to order this public hearing noting that President R. Steven Hill and Vice-President Kim Zuber were not present.

Mr. Eisbart stated that the Fort Wayne Redevelopment Commission is requesting additional appropriation in the amount of \$2,700,000.00 to pay costs of redevelopment projects (Washington Center Road, I-69 overpass, drainage) and incidental expenses to be incurred in connection therewith and on account of issuance of bonds. Mr. Eisbart asked if there was anyone present wishing to speak for or against the development of the Washington Center/Coldwater Economic Development Area Project. Mr. Eisbart asked the question three times.

Hearing no response, a motion was made by Mr. Eisbart to adjourn the April 18, 1991 public hearing, the motion was second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: May 15, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
APRIL 18, 1991**

TIME: 4:30 p.m.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: Benjamin A. Eisbart, George F. Simler, III,
Emily S. Kass

MEMBERS ABSENT: R. Steven Hill and Kim A. Zuber

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Mark Krcmaric - Barnes & Thornburg
Dick Treptow - Springsted

CALL TO ORDER

Mr. Eisbart called to order this regular meeting of the Fort Wayne Redevelopment Commission.

APPROVAL OF CLAIMS

Mr. Simler made a motion to approve the March & April 1991 Claims, second by Ms. Kass.

APPROVAL OF MINUTES

Ms. Kass made a motion to approve the February 22nd and March 14th, 1991 Minutes, second by Mr. Simler.

OLD BUSINESS

Resolution 91-17

Approving Ron Bonar's sidewalk improvement project

Mr. Fletcher reminded the Commission that the substance of this Resolution was approved at the March 14th Commission meeting, and this Resolution is just formally approving the project. Mr. Fletcher also noted that Mr. Bonar is trying to get the bid packets completed in order to get the project bid and completed before Three Rivers Festival begins.

On a motion by Mr. Simler, second by Ms. Kass, Resolution 91-17 was approved.

NEW BUSINESS

Discuss final bond feasibility study - Springsted

Mr. Treptow reported to the Commission that the final preliminary financial report for the Coldwater Crossing Economic Development Area has been completed; the two options that have been recommended for consideration are both tax increment revenue bonds, sold by private placement. The Commission briefly discussed the two alternative options

Resolution 91-18

Approving Declaratory Resolution authorizing issuance of \$2,700,000 TIF Bonds

On a motion by Ms. Kass, second by Mr. Simler, Resolution 91-18 was approved unanimously.

Discuss Bond Underwriter RFP Responses

Mr. Fletcher informed the Commission that a Request For Proposal for an underwriter was sent to six firms. There were five (5) respondents; Raffensperger, Hughes & Company, Van Kampen Merritt, Traub & Company, Inc., and Summers & Company. Mr. Fletcher stated that all of the responses were summarized by Dick Treptow of Springsted and given to the Redevelopment Commission members. The Executive Director, financial advisors, and Counsel reviewed the responses and collectively agreed that Summers & Company and City Securities Corporation were the two (2) best respondents. Both companies were contacted and asked questions that related to their proposals. Mr. Fletcher stated that both companies in his opinion are similar in qualification and estimated interest rates within limits and that a local firm should be given careful consideration. He stated that Summers has reduced their price for underwriting services to \$15.75 per \$1,000 of bonds.

Mr. Treptow noted that the underwriter must know the market well enough to estimate the interest rates closely. One of the reasons that the (2) were selected was based on the contents of their proposal and that both have had past experience with successfully marketing similar bond issues. Mr. Treptow stated the Commission should reserve the right to change to another underwriter if the interest rates of the bonds are not in line with the underwriter's projections.

Mr. Fletcher recommended the services of Summers & Company as the underwriter for the Washington Center/Coldwater Project.

Resolution 91-19

Approving selection of Bond Underwriter

On a motion by Mr. Simler, second by Ms. Kass, Resolution 91-19 was approved unanimously.

Resolution 91-20

Approving the expenditure of funds for seven (7) trees along Washington Boulevard, adjacent to the Midtowne Crossing Project

Mr. Fletcher informed the Commission that there are already tree grates in place for the seven (7) trees along Washington Boulevard, and that the planting of trees along Washington Boulevard will ecstastically enhance and cut down on the noise. The estimated cost of the planting of said seven (7) trees will be approximately \$1,000 per tree or a total of \$7,000. Staff is coordinating the planting of the trees with the Urban Designer of the Division of Community & Economic Development. The Division of Community & Economic Development currently have a contract in place which has been competitively bid and can possibly be used by the Commission to facilitate the purchase and planting of the seven trees. The seven trees will be funded from the 1986 TIF Bond Issue which does allow this type of public improvement.

On a motion by Mr. Simler, second by Ms. Kass, the Commission approves the expenditure of an amount not to exceed \$7,000.000 unanimously.

Resolution 91-21

Authorizing the transfer of \$69,293.11 from the 1986 TIF Bond Fund to the Department of Redevelopment General Fund

Staff noted that during the course of the development of the Midtowne Crossing Project, the Commission incurred a significant amount of supervisory expense directly related to the development of the project. All of the supervisory expenses have been paid from the General Fund of the Department of Redevelopment for the Midtowne Crossing Project. The Commission's legal counsel has researched the issue and has provided staff with his opinion attached to Resolution 91-21 as Exhibit 1, Indiana Code 36-7-14-25.1 provides "all necessary architectural, engineering, legal, accounting, advertising, bond discount and supervisory expenses" related to the development of the Midtowne Crossing Project may be paid from the TIF bond proceeds. Staff recommends the transfer of \$69,293.11 from the 1986 TIF Bond Fund to the Department of Redevelopment General Fund as a reasonable dollar amount of supervisory expenses estimated devoted to work on the Midtowne Crossing Project. Mr. Wernet stated that he was involved in the 1986 bond issue and supervisory expenses were anticipated.

On a motion by Mr. Simler, second by Ms. Kass the transfer of \$69,293.11 was approved unanimously.

Resolution 91-22

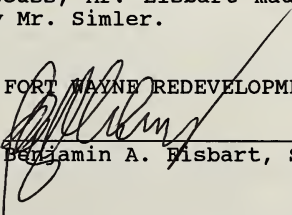
Allowing the designation of property as an Economic Revitalization Area for the ND Tech Corporation

Mr. Lindsay informed the Commission that ND Tech has applied for a tax abatement with the Department of Economic Development. On April 9, 1991, this tax abatement was discussed by City Council and approved by the Committee on April 16th, and will be voted on April 23rd by Council. ND Tech currently occupies lots 10, 11, 12, 13, 14, 15 and Disc Drive of Summit Industrial Park. The designation shall begin upon the effective date of Common Council approval and shall continue for one (1) year thereafter. ND Tech is requesting the approval of the Commission in order to receive a ten year deduction from the increased assessed value of new manufacturing equipment.

On a motion by Mr. Simler, second by Ms. Kass, Resolution 91-22 was approved unanimously.

With no other business to discuss, Mr. Eisbart made a motion to adjourn the meeting, second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION


Benjamin A. Eisbart, Secretary

ADOPTED: May 15, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
MAY 15, 1991**

TIME: 4:30 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: R. Steven Hill, Benjamin A. Eisbart,
Kim A. Zuber, George F. Simler, III

MEMBERS ABSENT: Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

OTHERS PRESENT: Dick Thompson, Summit Bank
Brian Meeks, Bradley Keene and Daniel Comm

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Hill called to order this regular meeting of the Fort Wayne Redevelopment Commission.

Mr. Hill noted that Commission Member Emily S. Kass was not present.

APPROVAL OF CLAIMS

Mr. Hill made a motion to approve the April, 1991 claims, the motion was second by Mr. Simler.

APPROVAL OF MINUTES

Mr. Simler made a motion to approve the April 18, 1991 Minutes, second by Mr. Zuber.

NEW BUSINESS

Discuss results of negotiations with Conrail and Title Commitment - Baker Street Station

Loren Kravig reported to the Commission that to date, he has not received the title commitment from Conrail. Loren mentioned that he will be negotiating with a new person at Conrail, and hopes that this may speed up the process.

Mr. Fletcher asked Mr. Meeks, Mr. Keene, and Mr. Comm to make a presentation to the Commission as to their proposal for the Baker Street Train Station if they were awarded the bid. The developers made a brief presentation and responded to several questions from Commission members.

Resolution 91-23

Approving acceptance of Baker Street Station

Mr. Fletcher suggested to the Commission that this Resolution should be approved subject to further negotiations. Mr. Eisbart made a motion to approve Resolution 91-23 subject to the title work being cleared up, and subject to the receipt of a deed from Conrail which is acceptable to the Redevelopment Commission and its legal staff. The motion was second by Mr. Zuber.



Resolution 91-24

Approving selection of Baker Street Station Developer

After a brief discussion, the Commission approved Resolution 91-24 subject to acceptance of the station in accordance with Resolution 91-23, and further investigation with respect to past development experience of Mr. Meeks, Mr. Keene, and Mr. Comm. The Commission also discussed whether or not it was acceptable for the legal staff to develop wording in the development agreement to encourage the use of local contractors, labor, and materials.

On a motion by Mr. Simler, second by Mr. Eisbart, Resolution 91-24 was approved subject to the above mentioned concerns.

Resolution 91-25

Approving Declaratory Resolution establishing Illinois/Getz Road Economic Development Plan and Allocation Area

Mr. Fletcher reminded the Commission that the Illinois/Getz Road Economic Development Plan was sent to them for their review. Resolution 91-25 and the development plan will be submitted to the Plan Commission for their approval.

On a motion by Mr. Zuber, second by Mr. Simler, Resolution 91-25 was approved.

Resolution 91-26

Approving \$9,540.00 additional appropriation from the 1983 Bond Issue, Civic Center Urban Renewal Area

Mr. Fletcher reminded the Commission that this Resolution is in reference to the public hearing, the Commission held on May 15, 1991, regarding the matter of appropriating Nine Thousand five Hundred Forty of interest income from the proceeds of said bonds to pay for cost of development in the Civic Center urban Renewal Area as required by law.

On a motion by Mr. Simler, second by Mr. Zuber, Resolution 91-26 was approved.

Resolution 91-27

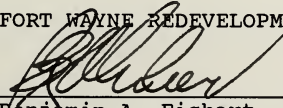
Approving expenditure of an amount not to exceed \$117.00 for the repair of the Calhoun Skybridge glass door

Mr. Fletcher noted to the Commission that on or about May 3, 1991, a door in the Skybridge was broken. Staff recommends that the Commission approve the expenditure of funds in an amount not to exceed \$117.00 for the repair of the Skybridge door.

On a motion by Mr. Simler, second by Mr. Zuber, Resolution 91-27 was approved.

With no other business to discuss, Mr. Simler made a motion to adjourn the May 15, 1991 Commission meeting, second by Mr. Zuber.

FORT WAYNE REDEVELOPMENT COMMISSION


Benjamin A. Eisbart, Secretary

ADOPTED: June 6, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION MINUTES
MAY 15, 1991**

TIME: 3:30 P.M.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: R. Steven Hill, Benjamin A. Eisbart,
Kim A. Zuber, George F. Simler, III

MEMBERS ABSENT: Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Steve Wesner, Goldstein/Northill
Dick Thompson, Summit Bank

CALL TO ORDER

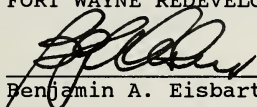
Mr. Hill called to order this Executive Session of the Fort Wayne Redevelopment Commission.

Discussion of strategy reference to purchase or lease of real property 5-14-1.5-6 (b) (2) (D) for Midtowne and Baker Street Station.

Discussion of strategy reference to initiation of litigation.

With no other business to discuss the Fort Wayne Redevelopment Commission Executive Session adjourned.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: June 6, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING MINUTES
MAY 15, 1991**

TIME: 4:00 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: R. Steven Hill, Benjamin A. Eisbart,
George F. Simler, III, Kim A. Zuber

MEMBERS ABSENT: Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

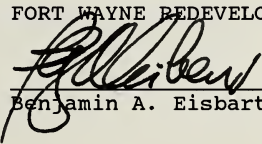
Mr. Hill called to order this Public Hearing of the Fort Wayne Redevelopment Commission noting that Commission Member Emily S. Kass was not present.

Request for additional appropriation in the approximate amount of \$9,540.00 to pay costs of redevelopment projects (Civic Center Urban Renewal Project) and incidental expenses to be incurred in connection therewith and on account of issuance of bonds.

Mr. Hill stated that the Fort Wayne Redevelopment Commission is requesting additional appropriation in the amount of \$9,540.00 for incidental expenses to be incurred in connection therewith and on account of issuance of bonds for the Civic Center Urban Renewal Project. Mr. Hill asked if there was anyone present wishing to speak for or against the request for additional appropriation. Mr. Hill asked the question three times.

Hearing no response, a motion was made by Mr. Hill to adjourn the May 15, 1991 public hearing, the motion was second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: June 6, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING/BID OPENING
MINUTES
MAY 20, 1991**

TIME: 3:30 p.m.

PLACE: City-County Building, Conference Room 810

MEMBERS PRESENT: Benjamin A. Eisbart, George F. Simler, III
Emily S. Kass

MEMBERS ABSENT: R. Steven Hill and Kim A. Zuber

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

OTHERS PRESENT: Jeff Weaver, Bonar, Inc.

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Eisbart called to order this special meeting/Bid Opening of the Fort Wayne Redevelopment Commission.

Mr. Eisbart noted that Commission Members R. Steven Hill and Kim A. Zuber were not present.

NEW BUSINESS:

Landing Properties Streetscape Project

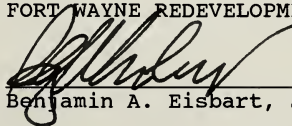
Mr. Eisbart noted to the Commission that there were (2) bids submitted: Dehner Construction Company in the amount of \$68,730.00, and Brooks Construction Company in the amount of \$55,844.65.

After a brief discussion, Commission Member Eisbart suggested that the Commission take the bids under further consideration.

A motion was made by Mr. Simler, second by Ms. Kass to discuss the bid packets further at the next scheduled Commission meeting.

With no other business to discuss, Mr. Eisbart made a motion to adjourn the May 20th Special Meeting/Bid Opening. The motion was second by Mr. Simler.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: June 6, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
EMERGENCY MEETING/EXECUTIVE SESSION
MINUTES
JUNE 4, 1991**

TIME: 3:30 P.M.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: R. Steven Hill, Emily S. Kass
Kim A. Zuber, George F. Simler, III

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

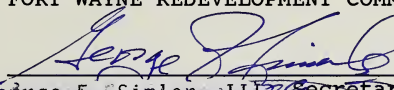
Mr. Hill called to order this Executive Session of the Fort Wayne Redevelopment Commission.

Mr. Hill noted that Commission Member Benjamin A. Eisbart was not present.

Discussion of strategy reference to initiation of litigation 5-14-1.5-6 (b) (2) (B).

With no other business to discuss the Fort Wayne Redevelopment Commission Executive Session adjourned.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III Secretary

ADOPTED: June 6, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
EMERGENCY MEETING/SPECIAL MEETING
MINUTES
JUNE 4, 1991**

TIME: 4:15 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: R. Steven Hill, Kim A. Zuber,
Emily S. Kass, George F. Simler, III

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Hill called to order this Special Meeting of the Fort Wayne Redevelopment Commission noting that Commission Member Benjamin A. Eisbart was not present.

NEW BUSINESS:

Resolution 91-28
Midtowne Crossing

Mr. Fletcher noted that Resolution 91-28 declares that the developer of the Midtowne Crossing Project is in default of the development agreement with the Redevelopment Commission. Mr. Boyer read to the Commission, the staff, the members of the media, and public, the thirteen areas in which Midtowne Crossing Associates, Inc. (Sheila S. Kennedy) was in default of the Development Agreement, an amendment to the Development Agreement, the second amendment to the Development Agreement, A Lease with Option to Purchase Agreement, an amendment to the Lease with Option to Purchase Agreement, and a Parking Garage Agreement.

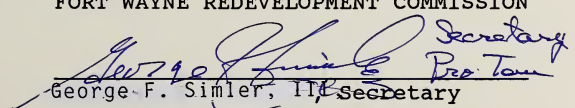
Mr. Fletcher noted that the Notice of Default will be issued immediately to Midtowne Crossing Associates, Inc. (Sheila S. Kennedy) by FAX, and also by Certified Mail, return receipt requested. Ms. Kennedy's attorney will also be notified by FAX of the default. After receipt of the Notice of Default, Mr. Fletcher stated that the developer will have twenty four hours to cure the defaults.

The Commission resolves that at the expiration of the twenty-four hour notice, unless each and every event of default is cured to the satisfaction of the Executive Director and the Commission attorney(s), the Executive Director, and Commission attorney(s) are authorized by the Fort Wayne Redevelopment Commission to take all necessary action on behalf of the Commission to exercise all remedies of the Commission available to it.

On a motion by Mr. Simler, second by Ms. Kass, Resolution 91-28 was approved by the Fort Wayne Redevelopment Commission.

With no other business to discuss, Mr. Hill made a motion to adjourn the Fort Wayne Redevelopment Commission Special Meeting, second by Mr. Zuber.

FORT WAYNE REDEVELOPMENT COMMISSION


George F. Simler, III, Secretary

ADOPTED: June 6, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING
MINUTES
JUNE 6, 1991**

TIME: 3:30 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: R. Steven Hill, Benjamin A. Eisbart,
Kim A. Zuber, George F. Simler, III,
Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Rod Wilson, Summers & Company
Mark Krcmaric, Barnes & Thornburg
Alan Grinsfelder, Grinsfelder & Assoc.
Tom Cain, Community & Economic Development
Robin Hunt, Project Renew

CALL TO ORDER

Mr. Hill called to order this Special Meeting of the Fort Wayne Redevelopment Commission.

ELECTION OF OFFICERS

Mr. Hill nominated George F. Simler, III, President of the Fort Wayne Redevelopment Commission. Mr. Hill was nominated as Vice President by Mr. Simler, and Mr. Eisbart was asked to continue as Secretary for the Redevelopment Commission.

The nominations were unanimously approved by the Commission.

APPROVAL OF MINUTES

Mr. Hill made a motion to approve the May 15th, May 20th, and June 4th Minutes. The motion was second by Mr. Zuber.

OLD BUSINESS

Discussion of Midtowne Crossing

Mr. Fletcher and Mr. Wernet explained to the Commission that a Verification of Termination has been prepared since staff has not been contacted by the developer since the notice of default was sent to her. The developer had 24 hours to cure all 13 of the defaults. The 24 hour period passed without the developer curing any of the 13 default areas.

Resolution 91-29

Amending Resolution 91-18 - Regarding Issuance of Bonds

Mr. Krcmaric presented to the Commission a brief summary of the issuance of \$2.7 Million in TIF bonds for the Washington Center Coldwater Road Economic Development Program, in accordance with the provisions of I.C. 36-7-14. Mr. Krcmaric discussed Resolution 91-29, and after a brief discussion, Mr. Hill made a motion to approve the Resolution, second by Mr. Zuber.

Resolution 91-30

Amending Resolution 91-17 to provide additional financial assistance.

Mr. Fletcher reminded the Commission that on April 18, 1991 the Commission agreed to assist in the Landing Properties Streetscape Project on Harrison and Pearl Streets, at an amount not to exceed \$25,000.00. Staff has found the lowest and best bidder to be Brooks Construction Company, Inc., with a bid of \$55,844.65. In order to make the project feasible it was necessary to increase the amount of the Commission's financial assistance to the lesser of 50% of project cost or \$27,500.

On a motion by Mr. Hill, second by Ms. Kass Resolution 91-30 was approved.

Resolution 91-31

Ratifying the award of the contract for the Landing Properties Streetscape to Brooks Construction Company, Inc.

Mr. Fletcher explained to the Commission that this Resolution has to do with the award of the contract on Harrison Street to Brooks Construction. Brooks Construction submitted a bid of \$55,844.65, and Dehner Construction, Inc., submitted a bid in the amount of \$68,730.00. Both bids contain all of the required documents, and have undergone review by the Office of Contract Compliance and Street Engineering. Staff recommends the award of the contract to Brooks Construction based on their best and lowest bid.

On a motion by Mr. Zuber, second by Mr. Simler, the Commission hereby agrees to ratify the award of the contract to Brooks Construction Company, Inc.

Resolution 91-32

Ratifying the award of the contract for the Calhoun Street Transit Mall Project to Irrigation Design, Inc.

Mr. Fletcher reported to the Commission that the irrigation system in the planters along the Calhoun Street Transit Mall, between Washington Boulevard and Berry Street, is in need of replacement/repair. Irrigation Design, Inc. has submitted a bid to the Commission for the work in the amount of \$1,379.00. Staff recommends the awarding of the bid to Irrigation Design, Inc. for the Calhoun Street Transit Mall Project.

On a motion by Mr. Hill, second by Mr. Zuber, the Commission hereby ratifies the execution of a standard form of agreement with the contractor.

Discuss Calhoun Street Transit Mall Benches

Mr. Fletcher briefly discussed the benches on the Calhoun Street Mall. Mr. Fletcher mentioned that the benches that are now located on the Mall are in pretty bad condition. Staff has investigated the idea of putting new benches in with a more sturdy wood that would last a lot longer. The Commission and staff agreed that it would not be appropriate for this project to take place right away since the Transit Mall is undergoing a change. Staff suggested looking at replacing the benches on a later date.

Resolution 91-33

Approving the expenditure of funds in an amount not to exceed \$1,000.00 for the repair of the brick pavers adjacent to the Lebamoff Building in the alley bisecting the Midtowne Crossing Project

Mr. Fletcher explained to the Commission that minor refurbishment of the east-west alley connecting Calhoun Street and Harrison Street, located at the Midtowne Crossing Project site is needed because the brick paving stones adjacent to the Lebamoff Building, in the public right of way, are in need of repair. It is a possibility that the garbage hauler backed a truck in the area and the weight of such a vehicle has loosened the brick paving stones. Staff recommends the Commission approve the expenditure of funds, not to exceed \$1,000 for repair of said brick paving stones.

On a motion by Mr. Hill, second by Mr. Simler, the Commission authorized the Executive Director to execute an agreement with F & M Tile Terrazzo to repair said brick paving stones, in an amount not to exceed \$1,000.00.

Resolution 91-34

Approving the release of retainage funds for S.E. Jahn, Standard Carpetland, USA, Brooks Plate Glass, and Thorlief Larsen

The above mentioned contractors have completed their work in respect to the Midtowne Crossing Project, the Construction Manager, and Executive Director have reviewed each release of retainage funds and have no objections.

On a motion by Mr. Zuber, second by Mr. Hill, Resolution 91-34 was approved by the Commission.

Resolution 91-35

Approving the award of the contract for trees for the Landing Properties Streetscape Project to Siebold Price Tree & Landscape Company

This Resolution is in respect to the streetscape project bordering Ron Bonar's property located on the corner of Harrison and Pearl Streets. Mr. Fletcher noted that this Resolution represents the bid on the purchase and planting of the trees in an amount of \$3,450.00.

On a motion by Mr. Eisbart, second by Ms. Kass, the Commission hereby authorizes the Executive Director to execute a standard form of agreement with the contractor.

Discuss Harrison Street Central Building Sidewalk & Curb Project

Mr. Fletcher reminded the Commission that this issue was discussed at a previous meeting. Mr. Fletcher stated that the elevation of the sidewalk on Harrison Street is quite low as it relates to Harrison Street. Because Harrison Street has been repaved so many times, Harrison Street is approximately 6 inches too high. In constructing the sidewalks along the Central Building to City specs, the sidewalk is about an inch and a half too low. The Engineering Department will be notifying the staff of the cost in order to plane the street down to its appropriate height. Mr. Fletcher will not know the approximate amount of the project until the bids are returned from the contractors.

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June 6, 1991
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Resolution 91-36
Approving a Bond Purchase Agreement

Mr. Rod Wilson of Summers & Company reported to the Commission that Summers & Company presently has commitments for the purchase of a portion of the bonds. Mr. Wilson has suggested that the Commission enter into a purchase agreement with Summers & Company for the purchase of the bonds. After a discussion by the Commission, staff, and counsel, the Commission authorized the Executive Director to execute the purchase agreement.

On a motion by Mr. Zuber, second by Mr. Simler, Resolution 91-36 was approved.

Resolution 91-37
Approving transfer of Hanna School Property to Project Renew

The Redevelopment Commission owns real estate in the Lafayette-Williams Urban Renewal Area, commonly known as the Hanna School Property. Robin Hunt of Project Renew presented to the Commission their concept of a single family housing development. Project Renew will be doing on site demolition prior to the execution of a development agreement and the transfer of the real estate in order to take advantage of a fill site which will be provided by the City.

On a motion by Mr. Hill, second by Mr. Zuber, the Commission approved the sell of the Hanna School property to Project Renew for One Dollar (\$1.00) subject to project Renew's execution of a development agreement.

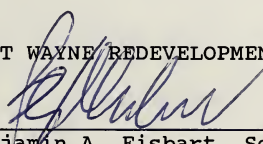
Resolution 91-38
Awarding of the contract for the Doubleday Building Project to Louis Lee Lengacher & Sons, Inc.

Mr. Fletcher reminded the Commission that at a previous meeting the Commission agreed to financially assist Arts United with improvements to the public right-of-way adjacent to the Doubleday Building, in an amount not to exceed \$16,083.00. The Commission has solicited bids for the improvements and received (6) six bids. Simmer Construction Company submitted a bid for \$18,600.00; Louis Lee Lengacher for \$15,940.00; Harold McComb & Son for \$ 25,300.00; ABC Construction for \$ 20,065.00; Gaines Construction Company for \$ 38,800.00; and G & B Construction for \$ 7,200.00, for part of the project only. After carefully reviewing the bids, it was recommended that Louis Lee Lengacher be awarded the bid.

On a motion by Mr. Hill, second by Mr. Eisbart, Resolution 91-38 was approved subject to the review and approval of the Contract Compliance Office and Departments of Street and Street Light Engineering.

With no other business to discuss, Mr. Hill made a motion to adjourn the June 6, 1991 Redevelopment Commission meeting, second by Mr. Zuber.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: June 24, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING
MINUTES
JUNE 24, 1991**

TIME: 3:30 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill,
Kim A. Zuber, Emily S. Kass

MEMBERS ABSENT: Benjamin A. Eisbart

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Simler called to order this Special Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Member Benjamin A. Eisbart was not present during this Special Meeting.

APPROVAL OF CLAIMS

Mr. Hill made a motion to approve the May 1991 claims, second by Mr. Zuber.

APPROVAL OF MINUTES

Mr. Zuber made a motion to approve the June 6, 1991, Minutes, second by Mr. Hill.

OLD BUSINESS

No old business to discuss

NEW BUSINESS

Resolution 91-39

Approving an amendment to Resolution 91-37 Hanna School Property

Mr. Fletcher noted to the Commission that during the June 6, 1991 Commission Meeting the Commission approved Resolution 91-37, approving the transfer of the Hanna School Property to Project Renew. The City has adopted a tax abatement program for residential housing and would like to offer tax abatement for the construction of six (6) houses that will be built on the Hanna School property. According to the legislation on tax abatement for residential housing, the City must own the property, in order to comply with Indiana Code 6-1.1-12.1-2. The City must therefore take possession of the property and then, in turn, give it to Project Renew. This Resolution is to approve the sale of the Hanna School Property to the City of Fort Wayne for One Dollar (\$1.00).

On a motion by Mr. Zuber, second by Mr. Hill, Resolution 91-39 was approved.

Resolution 91-40

Approving the Hanna School property as a Revitalization Area

Mr. Fletcher explained to the Commission that in order for the Hanna School property site to be eligible for real property tax abatement, the property has to be declared as a residentially distressed area, by the Common Council. If property is located in an allocation area as defined in I.C. 36-7-14-39 or I.C. 36-7-15.1-26, an application for the property tax deduction provided by I.C. 6-1.1-12.1 may not be approved unless the Commission that designated the allocation area adopts a resolution approving the application.

On a motion by Mr. Hill, second by Mr. Zuber, Resolution 91-40 was approved.

Resolution 91-41

Approving contract for planing southwest corner of Harrison and Wayne Streets

Mr. Fletcher explained that the City's Engineering Department discovered that excessive pavement thickness at the corner of Harrison and Wayne Street does not provide adequate drainage, and is approximately 5 inches too high to allow sufficient curb height. The problem is due to paving the street several times without first milling the surface down. Mr. Fletcher mentioned that the Commission is taking responsibility for this project because of the Commission's recent involvement in the sidewalk rehabilitation project at the Central Building. The Street Department handled the invitational bid process to mill and resurface the section of right-of-way. Brooks Construction submitted a bid for \$7,800.00; T & G, Inc. submitted a bid for \$12,776.20; and S.E. Johnson Companies, Inc. submitted a bid for \$13,645.00. Based on the best and lowest bid, staff recommends the awarding of the bid to Brooks Construction Co., Inc.

On a motion by Mr. Hill, second by Mr. Zuber, the Commission authorized staff to execute a standard form of agreement with the contractor.

Resolution 91-42

Authorizing an amendment to the By-Laws of the Midtowne Crossing Condominium Horizontal Property Regime.

Mr. Wernet stated that as a result of the termination of the Midtowne Crossing Associates, Inc., the Lease with Option to Purchase, the Parking Garage Management Agreement, and other agreements have also been terminated. This Resolution authorizes an amendment to the By-Laws of the Midtowne Crossing Horizontal Property Regime, upon approval of two-thirds of the owners of all condominium units, and shall be amended to read: The Board of Directors shall be made up of five persons; the Redevelopment Commission shall appoint two Directors, Summit Bank shall appoint one Director, and the remaining two Directors shall be elected by a vote of the owners of the condominium units. The term of office of the Directors appointed by the Commission and the Bank shall be until all condominium units have been sold.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 91-42 was approved.

Resolution 91-43

Approving the Midtowne Crossing Management Agreement

On June 6, 1991, the former parking garage management agreement became null and void when the former developer was terminated. Mr. Fletcher informed the Commission that he has spoken with Light &

Breuning, Inc. and they are willing to take over the parking garage. Light and Breuning, Inc. will have a clause in the contract stating that the leases will be short term thirty (30) day leases. As each condominium unit is sold, a parking stall will be made available for the tenant. The lease proposal has been reviewed by the Executive Director and the Commission Attorney, and is recommended for adoption.

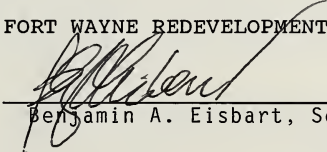
On a motion by Ms. Kass, second by Mr. Hill, Resolution 91-43 was approved.

Discuss Midtowne Crossing RFP

Mr. Fletcher supplied the Commission, for their review, a "Draft" copy of the Request for Proposal (RFP) to solicit an entrepreneur/developer to be at risk and complete the marketing, sales, and leasing of the Midtowne Crossing Project. The Commission was asked to review the proposal and call with any changes, recommendations, etc. that would be beneficial to include in the RFP. Ms. Kass asked if there was going to be a committee to review the RFP's. Mr. Fletcher suggested that a committee be formed with two people representing the Commission, one staff person, a bank representative, one from the Midtowne Crossing Owner's Association representing the condominium owners, and preferably a developer/realtor, someone who will not be submitting a proposal for the RFP. Emily Kass and Kim Zuber stated they were interested in serving on the committee. Mr. Simler and Mr. Hill agreed with the selection. Mr. Fletcher will represent the staff. The Committee will review the proposals submitted, and make a recommendation to the Redevelopment Commission at the appropriate time.

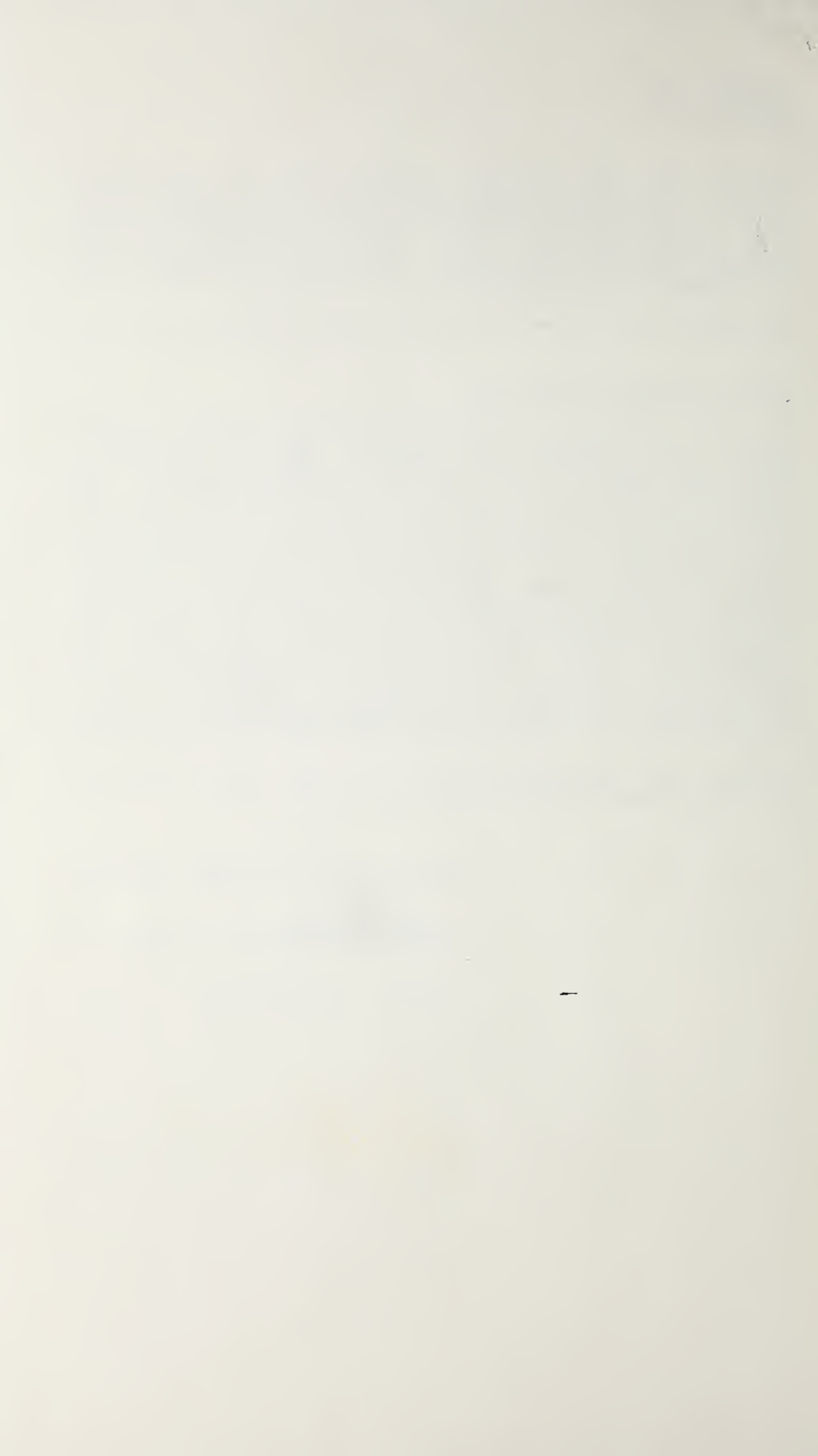
With no other business to discuss, Mr. Simler made a motion to adjourn the June 24, 1991 meeting, second by Mr. Zuber.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: July 25, 1991



**FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING
MINUTES
JULY 25, 1991**

TIME: 4:00 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Kim A. Zuber

MEMBERS ABSENT: R. Steven Hill and Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

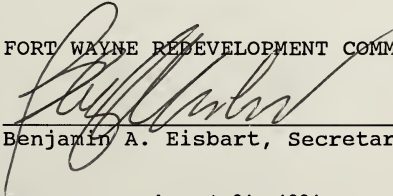
Confirm, modify and confirm, or rescind Declaratory Resolution 91-25, establishing the Illinois/Getz Road Economic Development Area and approving the Economic Development Plan.

Mr. Simler called to order this Public Hearing of the Fort Wayne Redevelopment Commission noting that Members R. Steven Hill and Emily S. Kass were not present.

Mr. Fletcher informed the Commission that on June 3, 1991, the Plan Commission determined that Resolution 91-25 and the Economic Development Plan conform to the master plan of development for the City of Fort Wayne. The Common Council on July 9, 1991 approved, ratified, and confirmed the actions of the Redevelopment Commission and the Plan Commission as it relates to Resolution 91-25. Mr. Fletcher further noted that the Economic Development Area consists of the Meijers parcel plus Getz Road to Jefferson Boulevard. Planned public improvements, include the widening of Getz Road to four lanes at the intersection of Covington Road and the addition of a turning lane. Mr. Fletcher further noted that the addition of the creation of an Economic Development Area must take place in order to put together the public financing.

Mr. Simler asked three times if there was anyone present wishing to speak for or against this Resolution. Hearing no response, Mr. Simler moved to adjourn the Public Hearing of the Fort Wayne Redevelopment Commission.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: August 21, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING
MINUTES
JULY 25, 1991**

TIME: 4:30 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Kim A. Zuber

MEMBERS ABSENT: R. Steven Hill and Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Steve Wesner, Goldstine Realtors, Inc.
Alan Grinsfelder, Doubleday Building

CALL TO ORDER

Mr. Simler called to order this Special Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Members R. Steven Hill, and Emily S. Kass were not present during this Special Meeting.

APPROVAL OF CLAIMS

Mr. Eisbart made a motion to approve the June 1991 Claims, second by Mr. Zuber.

APPROVAL OF MINUTES

Mr. Zuber made a motion to approve the June 24, 1991, Minutes, second by Mr. Eisbart.

OLD BUSINESS

There was no old business to discuss at this time.

NEW BUSINESS

Resolution 91-44

Confirmatory Resolution Illinois/Getz Road Economic Development Area

With no further discussion on the matter after the Public Hearing, Mr. Eisbart made a motion to approve Resolution 91-44, second by Mr. Zuber.

Resolution 91-45

Authorizing additional appropriation for the West Main Street Renewal Project amended

With no further discussion on the matter after the Public Hearing, Mr. Eisbart made a motion to approve Resolution 91-45, second by Mr. Zuber.

Resolution 91-46

Approving the Development Agreement with Project Renew

Loren Kravig presented to the Commission a drawing of Project Renew's proposed development of the former Hanna School site. Loren informed the Commission that Project Renew does plan to construct (6) six single family houses on the property. The agreement establishes an (18) eighteen month time line to reach substantial completion of the project, with the provision that by the end of the 18 month time line, subject to a decision by the Commission, whatever portion remains undeveloped will be re-transferred to the Redevelopment Commission. Loren mentioned that Project Renew has broken ground at the project site, and anticipates completing the first (3) three houses by mid to late September.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-46 was approved unanimously.

Resolution 91-47

Approving transfer of a portion of the Hanna School Property to Troy Towel Supply Company and approving a Maintenance Agreement

Loren Kravig explained to the Commission that the bulk of the property was transferred to Project Renew with the exception of an L-shaped portion of property running along Lafayette Street. Ralph Jones of Troy Towel Supply plans to expand his business in accordance with the terms and conditions of a Contract for Sale and Development of Real Estate dated May 1, 1990. The land will accommodate a landscaped buffer between Lafayette Street, Ralph Jones' property and the adjacent development to the west and north. As a condition to this transfer, Ralph Jones shall enter into agreement to provide perpetual maintenance for the landscaped buffer. Staff recommends the transfer of property to Troy Towel Supply Company. Mr. Simler was concerned that current or future owners of the property might, at a later date, decide not to maintain the landscaped buffer. Mr. Boyer explained that the Maintenance Agreement addresses the issue of the maintenance of the landscaped buffer by creating a restrictive covenant in the deed. Mr. Fletcher added that the landscaping on the south side that buffers Troy Towel's parking area is still under negotiations with Troy Towel Supply Company. The Commission recommended approving Resolution 91-47 subject to any minor changes in the agreement during negotiations.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-47 was approved.

Resolution 91-48

Approving the expenditure of funds, not to exceed \$700.00 for concrete removal

Jim Lindsay explained that this Resolution will ratify a contract with Siebold Price for \$2,818.00 for the purchase and planting of (7) seven trees. On April 18, 1991, the Commission approved Resolution 91-20 which authorized the Executive Director to expend an amount not to exceed \$7,000.00 for the purchase and planting of (7) seven trees along Washington Boulevard. The (7) trees were purchased at a reduced amount, than originally anticipated. Mr. Lindsay went on to say that in preparation for the planting of one (1) of the (7) seven trees, an undetermined amount of concrete was discovered in the tree grate hole which prevented the planting of one of the trees. Martin Enterprises submitted an estimate of \$700.00 to remove the concrete to accommodate the planting of the tree. The Executive Director entered into an agreement with Martin Enterprises for the removal of the concrete. Staff recommends the Commission ratify the agreement with Martin Enterprises, Inc. to

remove the concrete for an amount not to exceed \$700.00, and ratify the agreement with Siebold Price Landscape Company for the purchase of (7) seven trees at a price not to exceed \$2,818.00.

On a motion Mr. Zuber, second by Mr. Eisbart, Resolution 91-48 was approved.

Resolution 91-49

Approving an Exclusive Listing Agreement with Roth & Wehrly Realtors, Inc.

Jim Lindsay reported to the Commission on behalf of Tom Cheviron of Roth & Wehrly that 28 historic condominiums have closed to date and 3 non-historic condominiums have closed. Within the last months, 2 condominium units have been closed. The general sales interest in the units has picked up along with increased interest in the project. Mr. Chevron reports that he has approximately (5) five offers that are under review.

Staff recommends enlisting the services of Roth & Wehrly Realtors to market, sell and/or lease the non-historic residential condominiums of the Midtowne Crossing Project. The Commission attorney and staff have prepared an Exclusive Agency Listing Agreement between the Redevelopment Commission and Roth & Wehrly Realtors, Inc. The agreement may be terminated after August 1, 1991 after providing 15 days notice to Roth & Wehrly. The Expiration date of the the agreement is October 31, 1991, but may be renewable per agreement between the Commission and Roth & Wehrly Realtors, Inc.

Mr. Fletcher noted that Roth & Wehrly Realtors, Inc. is requesting that Section Three of the Exclusive Listing be changed to read "This listing is and shall be considered by the parties to be an exclusive listing."

After a brief discussion, the Commission agreed to the change in the Agreement.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-49 was approved.

Resolution 91-50

Approving an Exclusive Listing Agreement with Goldstine, Inc.

Steve Wesner of Goldstine, Inc. updated the Commission on prospective tenants that he has been working with. Mr. Wesner informed the Commission that Salad Galley of Toledo, Ohio submitted an offer to lease and is presently reviewing. Mr. Wesner supplied the Commission with pictures of the several other Salad Galleys that are currently operating.

Staff recommends enlisting the services Goldstine Realtors, Inc. to market, sell and/or lease the commercial retail spaces of the Midtowne Crossing Project. The Commission and staff have prepared an Exclusive Agency Listing Agreement, which states that the agreement may be terminated after August 1, 1991 after providing 15 days notice. The agreement also states that as of October 31, 1991 the agreement will expire, but may be renewable per agreement between the Commission and Goldstine, Inc. Staff recommends the Commission approve the agreement accordingly.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-50 was approved.

Resolution 91-51

Authorizing the Executive Director to approve sales and leases of the new residential condominium units in the Midtowne Crossing Horizontal Property Regime

Mr. Fletcher stated to the Commission that although Roth & Wehrly Realtors, Inc. is the sales and rental agent for the residential condominiums, and Goldstine, Inc. is the sales and rental agent for the commercial condominiums for the Commission from time to time offers to purchase, options, offers to lease, and other proposals to staff are made. It is not feasible to have a Commission meeting when every offer or proposals are presented. Staff is requesting the authority to negotiate on behalf of the Commission for the disposition of any condominium units in the Midtowne Crossing Horizontal Property Regime in such manner and at such prices as he deems reasonable. At each Commission meeting staff shall report to the Commission on any proposed and completed disposition of property.

On a motion by Mr. Eisbart, second by Mr. Simler, Resolution 91-51 was approved.

Resolution 91-52

Authorizing expenditure of Midtowne Crossing Parking Garage Receipts

Mr. Fletcher explained to the Commission that staff has been paying the Midtowne Owners Association parking garage proceeds to help offset the monthly utilities, and other association expenses. All net receipts received by the Commission from the operation of the Midtowne Crossing Parking Garage are being paid to the Midtowne Crossing Condominium Owners Association in partial satisfaction of the Commission's obligations for monthly maintenance assessments due the Association. The monthly proceeds from parking operations are currently approximately \$1300.00.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-52 was approved.

Resolution 91-53

Ratifying contract for Professional Financial Services

Mr. Fletcher explained that he has asked Municipal Consultants to look at the Civic Center Urban Renewal Area and make a determination as to whether or not there is any excess tax increment in the particular area. Staff recommends the retainage of a financial consultant to investigate financing alternatives and if determined feasible to assist in implementing the selected alternative for the acquisition and redevelopment of certain real estate as identified in the Civic Center Urban Renewal Plan amended. The contract amount for professional services shall not exceed \$10,000.000 plus travel expenses at \$.275 per mile if a bond is issued. If a bond issue is not necessary, then Municipal Consultants will be paid only for there travel and out of pocket expenses.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-53 was approved.

Resolution 91-54

Approving contract assignment

Mr. Fletcher informed the Commission that Springsted, Inc. has assigned the Commission's contract to Evensen Dodge who is another financial consultant. Evensen Dodge has assumed all rights and obligations of Springsted under the contract. Springsted had transferred certain assets utilized in the conduct of its business

in the state of Indiana to Evensen Dodge, Inc. This Resolution approves the assignment of Evensen Dodge, Inc. as financial consultant for the 1991 Washington Center/Coldwater Road Economic Development Area \$2.6 M Dollar TIF bond issue.

After a brief discussion Mr. Eisbart made a motion to approve Resolution 91-54, second by Mr. Zuber.

OTHER BUSINESS

Alan Grinsfelder - Doubleday Building

Alan Grinsfelder informed the Commission that the contractor discovered that the curbing, approximately 150 feet, was in bad condition along Clay Street. The contractor has suggested that another curb be poured at a price of approximately \$1250.00. Mr. Grinsfelder went on to say that there is a man hole in the alley along the south side of the building. City Sewer Department looked at it after the contracts were awarded, and after permits were obtained, and found that the man hole was in bad shape. They have asked the contractor or owner of the Doubleday Building to improve it. The contractor stated that it could be repaired for approximately \$300.00. Mr. Fletcher stated that this is one way that the City can get contractors to improve City infrastructure. Since this is a small amount, Mr. Fletcher recommended we approve.

Mr. Grinsfelder is requesting an additional \$1,550.00 be added to the original contract.

On a motion by Mr. Eisbart, second by Mr. Zuber, the Commission agreed to amend the original agreement to include the expenditure of an additional \$1,550.00.

Update on Baker Street Train Station

Loren Kravig reminded the Commission that a previous meeting the Commission agreed to accept the train station under certain conditions: acceptable terms of the deed with Conrail, and also obtaining clear title. Loren stated that the two conditions have been met, and staff is requesting a motion accepting ownership of the train station.

On a motion by Mr. Eisbart, second by Mr. Zuber, the Commission discussed, and approved the acceptance of the Baker Street Station.

The Commission asked as to whether or not Sherlock on Baker Street Group has met the requests of the Commission from a previous meeting. The Commission has asked for financial statements for each individual in the project, appropriate references that can attest to the group's experience and ability in doing other historical renovations, and also letters from financial institutions. Staff informed the Commission that the information has not been received as of this date. Loren Kravig noted to the Commission that obtaining this information from Sherlock on Baker Street Group has been made a condition of the transfer.

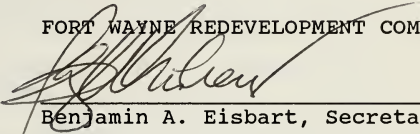
The Commission requested that Mr. Fletcher send a letter to Mr. Comm requesting information be sent to staff within ten days, otherwise the Commission will be free to offer the project to other potential developers.

Minutes
July 25, 1991
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After a brief discussion by the Commission, Mr. Eisbart made a motion to approve the decision, second by Mr. Zuber.

With no other business to discuss, Mr. Simler made a motion to adjourn the meeting, second by Mr. Eisbart.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: August 21, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
SEPTEMBER 9, 1991**

TIME: 6:20 P.M.
PLACE: City-County Building - Room 128
DATE: September 9, 1991

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill,
Emily S. Kass
MEMBERS ABSENT: Benjamin A. Eisbart and Kim A. Zuber
STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James
COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Simler called to order this Regular Meeting of the Fort Wayne Redevelopment Commission, which began immediately following the Public Hearing.

ROLL CALL

Mr. Simler noted that Commission Member Eisbart was not present, and Commission Member Zuber was not present during the Regular Meeting.

OLD BUSINESS

Mr. Fletcher noted that there was no old business to discuss at this meeting.

NEW BUSINESS

Resolution 91-61

Approving Confirmatory Resolution Civic Center Urban Renewal Plan and Allocation Area Amendment VII.

Mr. Fletcher reminded the Commission that at a previous meeting the Commission approved Declaratory Resolution 91-58 which says that the area was found to be blighted. The Confirmatory Resolution includes findings that substantiate the Declaratory Resolution. Attorney Wernet was asked to read the twelve (12) proposed findings that staff has found in the area that is to be incorporated by the amendment is a blighted area as defined by Section 3, Chapter 1, Article 7, Title 36 of the Indiana Code, as evidenced by the proposed findings read by John J. Wernet, Attorney for the Fort Wayne Redevelopment Commission. Mr. Fletcher noted this was the traditional role for the Redevelopment Commission, elimination of blight, cessation, lack of growth and development.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 91-61 was approved by the Commission.

Resolution 91-62

Approving the selection of Bond Counsel

Mr. Fletcher explained to the Commission that pursuant to the allocation provision in Declaratory Resolution 91-58, the Commission proposes to issue Tax Increment Financing bonds for the

purpose of funding certain improvements within the Civic Center Urban Renewal Area to include asbestos removal, acquisition, relocation, demolition, site preparation, and other improvements necessary to carry out the intent of the Civic Center Urban Renewal Plan. Staff recommends the services of Barnes & Thornburg to serve as Bond Counsel for the TIF Bond Issue.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 91-62 was approved.

Resolution 91-63
Approving the selection of Underwriter

Mr. Fletcher reminded the Commission that Summers & Company, Underwriters, were used by the Commission in the last two (2) bond issues. The firm has submitted a proposal to serve as Underwriter for the Civic Center Urban Renewal Project. Summers & Company have been consistently low in terms of the bid, and have done an excellent job for the Commission. Staff recommends the services of Summers & Company to serve as Underwriter.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 91-63 was approved by the Commission subject to the Director and Counsel review and approval of the letter and terms submitted by Summers & Company.

Attorney Boyer noted to the Commission that the acquisition process cannot begin until after the appeal of the remonstrance(s) expires, which is ten (10) days from the date of this Commission meeting. Attorney Boyer suggested scheduling a tentative Commission meeting for the 20th of September, and if someone has filed suit against the Commission during the waiting period, staff will contact each of the Commission Members making them aware of the situation and canceling the tentative meeting scheduled for September 20th.

Resolution 91-64
Approving the selection of appraisers for Amendment VII to the Civic Center Urban Renewal Area

Mr. Fletcher informed the Commission that staff has solicited bids to appraise the ten (10) properties in question. Lowell Griffin has submitted a bid for \$25,000 for the particular parcels, Larry D. Misner submitted a bid for \$9,000, and Ronald R. Gettel submitted a bid for \$8,900. After reviewing each of the bids, staff recommends selecting Ronald R. Gettel and Larry D. Misner as the best and lowest bids. After a brief discussion, the Commission authorized staff to execute a standard form of agreement with the appraiser(s) and to approve claims submitted by the appraisers.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 91-64 was approved by the Commission.

Resolution 91-65
Anticipating issuing tax exempt bonds

Mr. Fletcher explained that he anticipates that there will be expenditures that the Commission will have prior to the issuance of a bond for the Civic Center Urban Renewal Area. It is anticipated that the necessary public financing for the acquisition and redevelopment will be from the issue of tax exempt bonds repayable from tax increment revenues from the Civic Center Urban Renewal Area.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 91-65 was approved.

Resolution 91-66

Approving the expenditure of funds to repair Summit Industrial Park water fountain.

This project was approved at a previous meeting by the Commission. The Resolution is officially being presented to the Commission for approval.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 91-66 was approved.

Resolution 91-67

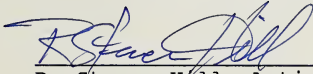
Displaced person relocation rules and procedures

This Resolution has been deferred until the September 20, 1991 meeting.

Counsel for the Commission felt it was necessary for Mr. Simler to appoint a Acting Secretary when Mr. Eisbart is absent. It was agreed that Mr. Hill would serve as Acting Secretary in Mr. Eisbart's absence.

With no further business to discuss, Mr. Simler made a motion to adjourn the Regular Meeting of the Fort Wayne Redevelopment Commission, second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION



R. Steven Hill, Acting Secretary

ADOPTED: November 13, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING MINUTES
OCTOBER 7, 1991**

TIME: 5:00 P.M.

PLACE: City-County Building Room 126

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill,
Emily S. Kass

MEMBERS ABSENT: Benjamin A. Eisbart, Kim A. Zuber

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

At approximately 6:50 p.m. Mr. Simler called to order this Special Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Members Ben Eisbart and Kim Zuber were not present at this meeting.

Mr. Simler suggested that since Mr. Eisbart, Secretary for the Commission was not present, Ms. Kass would sign the Resolutions as Acting Secretary.

OLD BUSINESS

Mr. Fletcher stated that there was no old business to discuss at this time.

NEW BUSINESS

Resolution 91-68

Approving Confirmatory Resolution Civic Center Urban Renewal Plan and Allocation Area Amendment VII

Commission Attorney John Wernet briefly discussed the findings outlined in Exhibit A to Resolution 91-68.

With no further discussion Mr. Hill made a motion to approve Resolution 91-68, second by Ms. Kass.

Resolution 91-69

Amending the rules of the Fort Wayne Redevelopment Commission to define the term "Affected Neighborhood Association"

Commission Attorney Dave Boyer noted to the Commission that the Statute provides that affected community associations have to be notified on various times when declaring economic development areas, redevelopment areas, etc. The Statute does not define the term "affected neighborhood association", but it does say that the Commission may adopt rules defining an affected neighborhood association as being one who's boundaries lie in the area declared. This Resolution is allowing the adoption of the rule(s) which covers the Statute and limits the areas which are affected neighborhood association anytime we are dealing with projects such as this one, Civic Center Urban Renewal Area, or declaration of economic development areas.

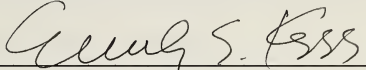
On a motion by Mr. Hill, second by Ms. Kass, Resolution 91-69 was approved.

OTHER BUSINESS

Ron Fletcher noted to the Commission that there was no other business to discuss at this time.

With no other business to discuss, Mr. Simler moved to adjourn the October 7th Special Meeting, second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION



Emily S. Kass, Acting Secretary

ADOPTED: November 13, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
PUBLIC HEARING TRANSCRIPT
OCTOBER 7, 1991**

TIME: 5:00 P.M.

PLACE: City-County Building Room 126

MEMBERS PRESENT: George F. Simler, III, R. Steven Hill,
Emily S. Kass

MEMBERS ABSENT: Benjamin A. Eisbart, Kim A. Zuber

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Simler called to order this Public Hearing of the Fort Wayne Redevelopment Commission.

Mr. Simler noted that Commission Members Eisbart, and Zuber were not present.

Public Hearing Reference to Declaratory Resolution 91-58, Amending the Civic Center Urban Renewal Plan and Allocation Area

George Simler: "This is a special public hearing of the Fort Wayne Redevelopment Commission relative to the Declaratory Resolution 91-58, amending the Civic Center Urban Renewal Plan and Allocation Area. Ah - as many of you know we had a public hearing, must have been a few weeks ago, at that time it was found that, through omission a portion of the West Central Neighborhood Association fell within the area that is under discussion. And it was felt by our Commission staff members that we should do this again and invite the West Central Neighborhood Association officially since they had been unofficially certainly welcomed before but we didn't know that they were within the area. We're going to run the meeting as we did before, in that we will ask for Commission staff comments, we will then move into any written remonstrances we have against the project, and then ask for those who wish to speak against the proposed project, and then we will after that allow any response from those proposing the project. We ask that those of you who do speak tonight, and we will certainly acknowledge every one of you giving you a reasonable amount of time if you wish. We ask that you avoid being repetitive, we do have your comments from the prior meeting on record and so if you have something new, different, wish to change something, or just simply speak for the first time, or even repeat yourself if you think it needs to be illuminated or augmented feel free to.... but you know, don't -- I'm sure you don't wish to take more time than is necessary. So, with that we'll get you out of here at a reasonable time. And I will call on the Commission staff Dave Boyer, our Commission Attorney."

Dave Boyer: "Thank you Mr. Chairman. I will first like to read into the record a Stipulation which is being identified as Exhibit H, Comes now the West Central Neighborhood Association by Norma Hoepfner, it's President and Fort Wayne Redevelopment Commission by Ronald R. Fletcher, it's Executive Director and stipulate as follows: Fort Wayne Redevelopment Commission, on August 21, 1991 adopted Declaratory Resolution No. #91-58, approving amendment No. #7 to the Civic Center Urban Renewal Area. Said reservation required notice of the public hearing thereon, and a public hearing was set for September 9, 1991, at 3:30 p.m. in the City-County Building, Room 128. West Central Neighborhood Association encompasses territory lying within the boundaries proposed to be added to the Civic Center Urban Renewal Area by Declaratory

Resolution No. #91-58, and said West Central Neighborhood Association is therefore an affected neighborhood association. The Commission failed to notify said Association by mail of the public hearing which is required by I.C. 36-7-14-17.5 (e). A new public hearing has been called for October 7, 1991, at 5:00 p.m. in the City-County Building, Room 126 and West Central Neighborhood Association has received mailed notice of such meeting. West Central Neighborhood Association and Commission hereby stipulate that the record of the public meeting conducted on September 9, 1991 may be introduced as evidence in the public meeting set for October 7, 1991 and the parties hereby stipulate that all testimony of both the opponents and the proponents of the action proposed by Declaratory Resolution 91-58 shall be entered into the record at the public hearing conducted on October 7, 1991. Parties hereby further stipulate that West Central Neighborhood Association neither binds itself for or against the action proposed by said Declaratory Resolution by the execution of this stipulation and the West Central Neighborhood Association and its individual members are free to take any position either for or against the Declaratory Resolution in the public hearing to be conducted October 7, 1991 at 5:00 p.m. Signed by West Central Neighborhood Association and Ronald Fletcher on behalf of the Commission. I would request the admission of Exhibit H as part of the exhibits in this case."

George Simler: "Thank you, and it will be so admitted."

Dave Boyer: "I would also like at this time to request the admission of Exhibit I, which is the record of the public hearing conducted on September 9, 1991, and certified as to authenticity by Kim M. Romes-James who transcribed the record."

George Simler: "Admitted."

Dave Boyer: "And just to cover all the bases at this time, I would request the admission of all Exhibits which were admitted at the September 9th meeting. These Exhibits consist of an Exhibit A, a map of the area which is located at the end of the room, and will be testified to shortly by Commission staff, Exhibit B, a map of the vacant space at street level, Exhibit C, photos of the various buildings in the area, Exhibit D, which is the Downtown Comprehensive Plan and Development Study for Fort Wayne, Indiana prepared for the City of Fort Wayne, and the Fort Wayne Redevelopment Commission, known as the Trkla Study. It is not the official comprehensive plan of the City of Fort Wayne. Exhibit E is the official comprehensive plan of the City of Fort Wayne. Exhibit F, is a document prepared by Mr. Kravig who will be testifying concerning that document entitled "The Data to Substantiate a Finding of Blight." Exhibit G, is a Civic Center Urban Renewal Plan Amendment No. #7, and I've introduced Exhibits H and I. We have some opposition Exhibits beginning first with Remonstrance #1, Remonstrance #2, Craig Leonard Exhibit #1, Exhibit #2, and Exhibit #3, Randall Welch Exhibit #1, Gretchen Weigel Exhibit #1. We have which will later be brought to the Commission's record a new remonstrance that was not admitted last time, I will do that at an appropriate time. We also have an Exhibit by a proponent of the plan, Salad Galley and that is defined as Salad Galley #1. I would request admission of all Exhibits Mr. Chairman."

George Simler: "So done." Dave, before you continue I omitted something. Ah - we do have a quorum, I wish to announce that officially. We have Emily Kass, Steve Hill, and myself George Simler present. Absent are Ben Eisbart, and Kim Zuber. You can go ahead."

Dave Boyer: "We'd like to now call for testimony Mr. Ron Fletcher, Mr. Fletcher would you state your name to the Commission and the audience, your job assignment, and your current activity in connection with this Civic Center Urban Renewal Amendment 7."

Ron Fletcher: "My name is Ron Fletcher, I am the Executive Director for the Fort Wayne Redevelopment Commission. I have been

employed by the Redevelopment Commission for 8 1/2 years, prior to this employment I was approximately 8 1/2 years, Executive Director of Multi County Regional Planning Development Commission, covering four counties in Northwestern Indiana. I have a B.S. Degree from Indiana University and several credits toward my M.B.A. I am a Real Estate Broker, and have been for the last 10 years. I've also taken four of the seven courses for appraisal for a M.A.I. My particular job with the Redevelopment Commission is to investigate areas of blight, to plan and re-plan and to redevelop blighted areas as economic areas in the city of Fort Wayne. I am staff of the Redevelopment Commission, I'm also management of staff to myself as a Director, I direct all studies, data collection, analysis, and recommendations to the Commission. I also make recommendations as it relates to goals, and objectives for the City, and involved in all the planning processes both internally and externally as it relates to plans for the city of Fort Wayne, especially in the downtown area."

Dave Boyer: "As part of your duties as Director of the Redevelopment Commission, did you work on developing the boundaries of the proposed enlargement area? Also known as the area being added by amendment 7?"

Ron Fletcher: "Yes I did."

Dave Boyer: "And was that area located totally within the city of Fort Wayne, and within the district of the Redevelopment Commission?"

Ron Fletcher: "Yes it is."

Dave Boyer: "Would you point out and identify as you're pointing out the location of the enlargement area, and identify the Exhibit that it is on."

Ron Fletcher: "The Exhibit it is on is Exhibit A, the enlargement area to the Civic Center Urban Renewal Area is in this particular area here. North of approximately seven blocks of the Civic Center Urban Renewal Area, specifically right now it's designated as such. There are approximately 7 blocks, 8 hundred thousand seven hundred square feet in the present Civic Center Urban Renewal area. The expansion includes approximately 61,500, it's approximately 7.5% expansion. It is in the city of Fort Wayne, in the downtown area."

Dave Boyer: "And that consists of two quarter block areas? Is that right?"

Ron Fletcher: "Yes, that is right."

Dave Boyer: "And probably throughout the proceedings for reference purposes we'll speak of the northwest block and the northeast block. The northeast block being defined as the block containing the existing Murphy's Building, the northwest block being the building containing the various restaurants, and most of the Remonstrator's property."

Ron Fletcher: "Yes."

Dave Boyer: "And you did say the boundaries are within the jurisdiction of the Plan Commission."

Ron Fletcher: "Yes it is."

Dave Boyer: "In developing this project did you also have an occasion to visually inspect most of the buildings in the area?"

Ron Fletcher: "Yes, I have went through all of the buildings in the area on all floors, except there were two that we could not get into, in which we did not inspect."

Dave Boyer: "Ok - and did you designate staff to do a study to determine whether or not blight existed."

Ron Fletcher: "Yes, our process in determining blight in a particular area is we go through a planning process of data collection, the analysis, and make a determination of blight. I asked Loren Kravig, one of the staff to go through that process, he collected all data within that area, did the analysis, and also made a recommendation of blight."

Dave Boyer: "At this time I would like to reserve the right to recall Mr. Fletcher and talk about some economic facts. I'll now call Mr. Kravig. Mr. Kravig will you identify yourself to the Commission, your job assignment, and your background please."

Loren Kravig: "My name is Loren Kravig, and I'm employed as a Redevelopment Specialist for the Fort Wayne Redevelopment Commission."

Dave Boyer: "Mr. Kravig, I would like to interrupt your testimony if I may. Members of the Commission I've been informed that one of our witnesses needs to leave early, and I would like to interrupt this testimony and put Mr. Sapp on. Mr. Sapp you can just come to the podium if you like. Please state your name, and occupation to the Commission please."

Mike Sapp: "Yes, my name is Mike Sapp, and I am Planning Director for the City of Fort Wayne."

Dave Boyer: "As Planning Director did you have an occasion to be contacted by the Redevelopment staff concerning the proposed Urban Renewal Amendment?"

Mike Sapp: "That is correct."

Dave Boyer: "And you were informed what the amendment was, and you presented a letter concluding whether or not the amendment complied with the Comprehensive Plan is that correct?"

Mike Sapp: "Yes, that is correct."

Dave Boyer: "Would you just generally summarize what you said about the amendment and its compliance with the Comprehensive Plan?"

Mike Sapp: "Our finding was that the project that is proposed is consistent with the Comprehensive Plan, especially the strategies and policies as they relate to redevelopment activities, and that there is specific language within the Comprehensive Plan that is very clear in discussing this kind of project and endorses it."

Dave Boyer: "And, did you present a copy of your finding in a letter to the Plan Commission."

Mike Sapp: "That is correct."

Dave Boyer: "And there was no objection by any Member of the Plan Commission?"

Mike Sapp: "No, there were no objections."

Dave Boyer: "Thank you. At this time I need to call attention to the record that we have a misnumbering of the Exhibits. The Stipulation should be re-numbered Exhibit I, and the Record of the Proceeding should be re-numbered Exhibit J, because at a previous meeting Exhibit H was Mr. Sapp's memorandum to the Redevelopment Commission concerning the compliance of the amendment to the Comprehensive Plan. I have no further questions of Mr. Sapp, since he will be leaving it might be well to ask if anyone in the audience had any questions."

George Simler: "Any questions from the Commission Are there any questions from anyone in the audience for Mr. Sapp?"

Dave Boyer: "Thank you." - Ok Mr. Kravig you've identified

yourself, would you tell us your job, and what that consists of, and your background for that job please.

Loren Kravig: "Ok, I attended Ohio State University and in 1986 graduated with a Bachelors Degree with a major in History, proceeded on with graduate school and graduated in 1988 with a Masters Degree in city planning. I was employed for a short while with the Licking County Plan Commission in Ohio, and then went to work for the Fort Wayne Redevelopment Commission in February of 1990. Since that time, I've been employed in a capacity of a Redevelopment Specialist. At Ron Fletcher's direction I performed studies, gathered data, performed analysis on that data, and inspecting blight in the city of Fort Wayne, and performed other such duties as soliciting proposals for projects, reviewing bids, and administering contracts.

Dave Boyer: "Based on your studies and you reviews, did you come to a conclusion of whether or not you believe the area was blighted?"

Loren Kravig: "Yes I did, after studying the proposed amendment area I did come to a conclusion."

Dave Boyer: "What was that conclusion?"

Loren Kravig: "My conclusion is that according to the Indiana Code's definition of blight, found at 36-7-1-3, the proposed amendment area is blighted.

Dave Boyer: "Ok - and did you prepare a study to document your conclusion?"

Loren Kravig: "Yes I did."

Dave Boyer: "And that is the study which has already been admitted as Exhibit F, entitled "Data to Substantiate a Finding of Blight", pursuant to the adoption of Declaratory Resolution for boundary amendment 7 to the Civic Center Urban Renewal Area, is that correct?"

Loren Kravig: "Yes, that is the study that I prepared."

Dave Boyer: "In there, there are several points that you make supporting your conclusion of blight. Would you inform the Commission, and you can use the Exhibits, about the vacancy rate that exist in the area."

Loren Kravig: "Ok - I prepared that study pretty much in accordance with the outline of the definition of blight. The first item is a lack of development, and a cessation of growth. The primary indicator in this area of a lack of development and cessation of growth is the vacancy. And I'll just point that out on the Exhibit right now. The Exhibit is a graphic presentation of the street level vacancy in the proposed amendment area. Area which are currently vacant are shaded in green, I'll point out first the northeast corner inspite of the former G.C. Murphy Building, which is vacant in its entirety at the street level, and also the second, third, and fourth stories as well. There is also a three story commercial building at the alley, the first level is occupied by McJohn Photos, the other half is the vacant former Shaver & Pen Center. At the northwest corner, the primary vacancy is on Wayne Street with the location of the former Howard's, also location on Calhoun, the former Instant Copy, and at the alley of the former Eating Place.

Dave Boyer: "What is the percentage of vacancy at street level then?"

Loren Kravig: "At street level, at the northeast corner, out of a total of 330 linear feet available some 310 ft. or 94% is vacant. At the northwest corner out of again, 330 linear feet of available frontage space 112 ft. is currently vacant or 34%. The sum of

these, for both the northeast and the northwest corner is 422 linear feet of store front vacancy for a vacancy rate of 64%. I should go on to point out that taking the upper stories of these buildings into consideration the vacancy rate is much higher, I'll cover that under utilization."

Dave Boyer: "Ok - and, the street level that is occupied, is there anything about that, the character of the occupancy that would also fit into your definition of blight. What other items did you observe that you believe contributes to your conclusion of blight."

Loren Kravig: "Ok - let me just finish up on the first category before I go on to character occupancy briefly. Not only is there a high degree of vacancy in the area, but the nature of that vacancy is protracted, several of the former store fronts have been vacant since 1989, 1990, and most significantly the G.C. Murphy Building, and Howards since the mid 1980's. So, there is a protracted vacancy in the area. Third and last, under lack of development, cessation of growth, prior to and separate from the Developer's proposed project a couple of the property owners attempted to sell their properties that have been listed for a long time and there has been no successful attempt to sell these properties. Namely the former Eating Place, and the former Instant Copy Building that have been listed for sale. They have been unsuccessful in their efforts to sell those properties."

Dave Boyer: "Do you know how long they've been listed?"

Loren Kravig: "The former Eating Place has been listed pretty much ever since I've come to Fort Wayne, I remember seeing the brokers sign posted on the building almost since my arrival here and that's been a year and eight months. On the subject of character of occupancy, There are a number of points that I'd like to raise there. The stores, the uses that we currently find at the northwest corner of Calhoun and Wayne are a wig shop, a tavern, a women's under garment store, a title company, and four restaurants. In order to get a proper feel for the character of the occupancy at this site I felt it was instructive to compare these uses with what you find in close proximity to the area. Midtowne Crossing directly across the street constructed at a cost of approximately \$12 Million Dollars, the Calhoun Street Transit Mall constructed in 1983 at approximate cost of \$3 Million Dollars, caticorner across the street, One Summit Square, constructed at a cost of approximately \$50 Million Dollars, currently undergoing a costly expansion and renovation of their plaza, the Tremper, Beckert, Leonard, and Terrell Law Office the former Cunningham Optical Building renovated at a cost of approximately \$450,000, and down the street at the corner of Wayne and Harrison, the former Patterson Fletcher Building renovated for more than \$100,000. So, there is a significant contrast with the private property owner investment at the northwest corner of Calhoun and Wayne to the public and private investment going on in the vicinity. Secondly, the area has exhibited a high degree of turnover in the uses found in the storefront. We've heard testimony from one of the property owners already, namely Mr. John Spillson who owns the property at 830 South Calhoun Street, who testified that in the 15 years that he has owned the building he has had nine different tenants to the property. Thirdly, the character of the occupancy is such that we see a minimal of lease hold improvements, what I would characterize as business start-up. Certainly nothing significant in the way of lease hold improvements. And fourth, the intensity of the use found at the northwest corner of Calhoun and Wayne is not such that I could consider it to be the highest and best use of the land. Point of fact, the tavern found at 830 South Calhoun Street is not the kind of tavern, by virtue of its business hours, which properly serves the downtown market. We have other establishments on Columbia Street and on Washington Street which by the nature of the establishment, the investment made, the hours that they maintain attracts an after hours trade. The restaurants in the area similarly by the amount of the investment that they've made and the hours that they keep are not conducive to an after hours trade such as we find, let's say at the Gas House Restaurant or a Park Place

Grill, both of which maintain after hours operations until 10:00 or 11:00 p.m. Taking those four points into consideration, the type of use contrasted with the amount of investment in the area, the turn over rate, the amount of lease hold improvements, and the intensity of the use, I did not consider the character of the occupancy found there to be the highest and best use of the land and to exert a blighting influence on surrounding development."

Dave Boyer: "What can you say about the age and obsolescence of the buildings that you find there?"

Loren Kravig: "With respect to age, the majority of the properties were either constructed shortly before the Civil War or sometime in the mid 1880's. Specifically, 818, and 820 S. Calhoun Street was constructed in 1859, 822 S. Calhoun in 1859, 824 S. Calhoun in 1886, and 826, and 828 S. Calhoun in 1859, and 830, and 832 S. Calhoun also in 1859, 110, and 112 Wayne St. in 1892, 114 Wayne Street in 1895, and 116 Wayne Street in 1868. In consultation with the City's former Historic Preservation Planner, I determined that none of the buildings were currently listed on the National Register of Historic Places, nor were any designated as a Local Historic District. Since the September 9th public hearing, two of the properties 822 and 824 S. Calhoun have applied for such designation and have been denied designation as a Historic District. Furthermore, many of the buildings exhibit the effects of deterioration and destructive alteration and renovation. Many character defining, significant architectural features have been removed all together or obliterated due to subsequent renovations. The application of facades, the bricking up of upper story windows, and the like. Also, under the category of obsolescence, we are going to hear further testimony under the subject of physical and economic obsolescence. I would like to note under the category of obsolescence that the upper stories of these buildings are entirely vacant, unfinished and used only for storage. That fact is confirmed by the records of the Wayne Township Assessors Office and by a personal inspection by myself and Ron Fletcher. Taking the northeast block, there are some 87,600 sq. ft. of available space, this is gross floor area, exclusive of the basement. In the northeast block, 84,000 or 96% is vacant. At the northwest block, some 60,848 sq. ft. are available for use, of that 47,168 sq. ft. are vacant, for a total of 78%. Taking these two quarter blocks into account together, some 148,448 sq. ft. are available for use, of which 131,168 sq. ft. are vacant, and that's a vacancy of 88%."

Dave Boyer: "You said that all of the upper stories were vacant, is there not one of the buildings that you went into an apartment?"

Loren Kravig: "There is one residence for private use at 822 South Calhoun, and that has been factored into these calculations."

Dave Boyer: "Ok - Thank you." What would you characterize the buildings as far as standard, class A, substandard, or what?"

Loren Kravig: "With respect to building condition?"

Dave Boyer: "Yes."

Loren Kravig: "With respect to building condition, my starting point in that analysis was the Trkla Study, in May of 1985 an exterior building survey was conducted. The results of that survey were that the block in which the proposed amendment area was found was categorized as having between 71-100% of its buildings deficient. Three buildings in particular were noted as being substandard or having major deficiencies. Following up to that study, its been my personal observation, both with respect to the exterior of the buildings and the interior that there has been no recent substantial investment in improvements or in the restoration of these buildings."

Dave Boyer: "Would you categorize most of the investment in that area as cosmetic from your observation rather than contributing to removing of deficiencies?"

Loren Kravig: "Yes I would."

Dave Boyer: "Thank you."

George Simler: "About how much more do you have Dave."

Dave Boyer: "We're just about done with Mr. Kravig. When you prepared your study did you also verify the legal description and can you say with certainty that the legal description and the resolution is the legal description of the area that you have been talking about."

Loren Kravig: "Yes I did, I took a copy of the last legal description prior to this proposed amendment and a map, and line by line verified that the legal description is correct."

Dave Boyer: "In your inspection, what can you tell me about floor elevations, and presence or absence of elevators, and such as that?"

Loren Kravig: "Well the construction of the buildings and the current state of the buildings is such that their layout and the lack of elevators and such does not lend the block to major redevelopment in some sort of comprehensive way."

Dave Boyer: "You have different floor levels, no elevators and things like that, that's what you're talking about?"

Loren Kravig: "That is correct."

Dave Boyer: "To your knowledge are the buildings totally sprinkled?"

Loren Kravig: "Totally - no."

Dave Boyer: "Did you check to see whether or not there have been applications for Facade Grants, or loans in the enlargement area within recent past?"

Loren Kravig: "Yes I did."

Dave Boyer: "What was your finding?"

Loren Kravig: "In checking with the City employees responsible for the Facade Grants, and the Facade loans, their response was that there had been no application for those funds."

Dave Boyer: "In working on your study, did you take into consideration recommendation in the Comprehensive Plan for the City of Fort Wayne."

Loren Kravig: "Yes I did."

Dave Boyer: "In your opinion, does the project propose for the amended area comply with the Comprehensive Plan in downtown Fort Wayne."

Loren Kravig: "In my opinion it does, at this point I would like to point out those respects in which I do find that it complies very briefly. The Comprehensive Plan divides the city into three areas. The central area, the middle ring, and the outer ring, the central area of course has bearing on this particular project. One of the main goals in the central area is to encourage reinvestment. Under general policies and strategies for the central area is noted that it is desirable to encourage the development of the central area as a major economic resource for the city. Specifically, with regards to the central business district one of the policies and strategies outlined is to encourage a high level of investment activity in the central business district. And then relating to economic development policies and strategies, the first such policy and strategy for the central business district is to revitalize the Fort Wayne downtown. It goes on to say, as downtown takes on more

of an office and service function, additional space for such uses should be encouraged through provision and support facilities such as parking garages through land assembly, and through financial incentives for investment in existing unutilized structures. "

Dave Boyer: "Now, there may be points in the Comprehensive Plan which differ from what is being done here. As a Planner do you expect every plan to comply with every point of a Comprehensive Plan or are the points more suggestions that you balance and weigh and pick the best combination of."

Loren Kravig: "Well the Comprehensive Plan by definition is something which is a broad outline of objectives and goals for your entire city. And Fort Wayne is a large city and a very diverse place with a lot of old structures and a lot of new development. It's only natural to find in any Comprehensive Plan goals which call for historic preservation and goals which on the other hand call for revitalization and investment. It's the Planners job to, on a case by case basis, decide which of these goals are primary and whether or not these goals can be accomplished together. In this case, the City's Planning Department, the City's Redevelopment Commission, the City's Historic Preservation Review Board, have all found in favor of redevelopment and investment and that the goal of historic preservation in this case, that these buildings are not worthy of preservation."

Dave Boyer: "Did you also consider the reasonableness and appropriateness of the proposed plan in relation to the original Civic Center Urban Renewal Area?"

Loren Kravig: "Yes I did."

Dave Boyer: "Could you summarize for us how you feel this is appropriate and reasonable and correct in relation to that the original Civic Center Urban Renewal Plan."

Loren Kravig: "Since the first draft of the Civic Center Urban Renewal Plan in 1979, its general objectives have been to support existing and proposed downtown development, to encourage rehabilitation of adjacent areas, to remove blighting influences, to promote attractive development, and efficient use of land in the downtown, just to name a few. Looking at it in that light, the proposed amendment to the Renewal Area, and the Urban Renewal Plan, does comply, it is reasonable in consideration of the original Urban Renewal Plan."

Dave Boyer: "Both plans provide for the removal of blighted structures, is that correct?"

Loren Kravig: "Yes, that is correct."

Dave Boyer: "And both plans will result in additional investment, is that correct?"

Loren Kravig: "Yes they will."

Dave Boyer: "It is your belief that the amendment will enhance the central business district through development of specialty retail and office space?"

Loren Kravig: "It is my opinion that it will."

Dave Boyer: "And there is provision in the proposed development that will provide office space in the Calhoun area?"

Loren Kravig: "Yes there is a provision for office space."

Dave Boyer: "Do you believe that the plan proposed will encourage rehabilitation of areas adjacent to the enlargement area, including both the existing Civic Center Urban Renewal Area, and other adjacent areas?"

Loren Kravig: "It's my opinion that given the renovation of over 70,000 sq. ft. of office space and the construction of an attached parking garage will encourage rehabilitation and business expansion. The overall affect of the development will be to the benefit of the Urban Renewal Area and adjacent areas as well.

Dave Boyer: "Will the plan improve pedestrian and vehicular circulation, and provide additional off-street parking?"

Loren Kravig: "Yes it will."

Dave Boyer: "Would you say that extent blight exist in the enlargement area, it is incompatible with the redevelopment of the existing Civic Center Urban Renewal Area?"

Loren Kravig: "That was my opinion before September 9th and it's my opinion today, especially reinforced by the testimony giving by local realtors, and property owners who have stated that the development and the leasing of their properties has been hindered by the conditions found on the northwest corner of Calhoun and Wayne and the protracted vacancy of the G.C. Murphy Building."

Dave Boyer: "This plan, is it a proposed development using all city money, or does it attract private investment?"

Loren Kravig: "My understanding of the project is that the public investment will leverage approximately \$14 Million Dollars in private investment."

Dave Boyer: "I have no further questions of Mr. Kravig."

George Simler: "Thank you. At this time, do we have any written remonstrances that are new?"

Dave Boyer: "Yes we do, we have a remonstrance #3 and signed Dale W. Taylor by Joseph Christoff as Attorney, Kent Holly, by Joseph Christoff as Attorney, Randy Welchell, and again I don't remember Mrs. Yip's first name. All of whom are remonstrators initially, and I'll read the remonstrance." "We hereby provide the Fort Wayne Redevelopment Authority with notice that we object to the involuntary acquisition of our property by the Commission as contemplated by proposed amendment 7 to the Civic Center Urban Renewal Plan for the following reasons:

1. I.C. 36-7-14-17.5 pursuant to which the Commission is acting does not provide the Commission with the power of eminent domain.
2. The Commission is not empowered to acquire property by eminent domain without first obtaining approval of the Planning Commission and City Council.
3. The proposed amendment has not been approved by the Plan Commission or the City Council.
4. The effected area is not blighted as defined in I.C. 36-7-1-3.
5. The effected area is not blighted to the extent that it cannot be corrected by regulatory processes or by the ordinary operations of private enterprise without resort to the Provisions of the Redevelopment of Blighted Areas Act of 1981 as amended.
6. The public health and welfare will not be benefitted by the acquisition and development of the affected area.
7. The proposed amendment is for the private benefit of certain individuals and, if confirmed, will lead to an unlawful taking of private property, in violation of Article 1, Sections 12 and 21 of the Indiana Constitution and the 14th Amendment to the United States Constitution.

George Simler: "Thank you, are there any others?"

Dave Boyer: "Other than the two I read in the record at the previous session, no."

George Simler: "Ok - with that I will alternate between my left side of the room and right side of the room. So those folks who wish to speak against the proposal, is there anyone here on the left who wish to speak against the proposal, please step up to the microphone and give your name and address."

Jeff Hoepfner: "My name is Jeff Hoepfner, I am a resident of the West Central Neighborhood, also Treasurer of the Association. I am here to give our official stand on this project. First off we strongly urge the study of alternate sites for this parking garage. The main reason is because these buildings could be restored, although it would be quite expensive. When Indiana National Bank comes to downtown with the parking garage at a different site, I feel that it will make these buildings much more attractive for renovation. And our second opinion is that in case the parking garage is put in this position, we strongly recommend that you don't make it look like many of the parking garages downtown. Basically just cement and very ugly, I think that would be a visual blight, as great as what exists there now. That is our official position."

George Simler: "Thank you Mr. Hoepfner, was that a request of your Board of Directors?"

Jeff Hoepfner: "Yes, there is a letter, I don't believe you've received it yet, but there is a letter our Association has drafted."

George Simler: "Any other questions? Thank you. Ok - right side of the room, anybody over there wish to speak against the proposal? None on the right side, left side, anyone wishing to speak against the proposal?"

Al Hoffer: "My name is Al Hoffer, I reside at 1212 Rockhill in Fort Wayne, I am a resident of the West Central Neighborhood Association. Jeff Hoepfner has talked about the official position of the neighborhood association, and I just want to share some of my own personal feelings, and comments about the discussions of the association. In my opinion the neighborhood association is a microcosm of the community as a whole and we have quite a variety and balance of social economic status. We have a variety of vocations present, and we certainly have a variety of view points as to this project in particular and a general about all public projects. I think the thing that distinguishes the neighborhood association is that generally speaking we're biased, we're biased as being pro historic preservation. Many of us reside within the boundaries of the local district, there is also the national district that the boundaries overlap. Basically, we take a conservative position in a sense that delay offers the hope with possibilities for alternatives to the existing proposals. We had a lively discussion at a couple meetings, we questioned what is a leader, both individually and as groups, what kind of positions do leaders take, how do they try and explain a position. We talked about conflict of interest, we had some members present who have relationships with some of the parties who were a part of this proposal, either as owners, or as developers, and so on. We had an interesting discussion on conflict of interest. One of the questions that was asked was if the City in some way didn't subsidize the project what would happen then, once again if there was non-subsidy with there be a delay and would that delay provide an opportunity for possibly more creative uses of the space. I might note that ARCH was co-sponsor and the City participated, and many others in the National Press Conference that wrapped up about a week ago. There was a pretty good article in the local newspapers recently that summarized and wrapped up that conference. I was able to attend the wrap up session on Saturday morning, Mr. Eisbart was present there. I noted that he wasn't present at

either of the public meetings for this project. And excuse me, if other people were there, Mr. Fletcher I guess was there. I thought it was a great project, I was glad that Fort Wayne was able to push that project, and I left looking to the future with hopes of a vision for the possibilities that we can have as a community with our historic buildings. There are many structures that were identified in the immediate downtown, in your downtown area that are possible for preservation. A couple of projects were proposed, I don't know what would happen if creative processes were used on that block that is proposed today for redevelopment. I still look to the future with hopes for other historic preservation of projects in Fort Wayne. Basically, I am not in favor of this current project being considered, but I'm torn, as many people are, as to the issues of blight and so on. I just hope that we can continue to have a vital Fort Wayne considering our past and preserving what we are able to. Thank you."

Dave Boyer: "Mr. Hoffer, at that conference Saturday there were no recommendations for buildings in the enlargement area was there?"

Al Hoffer: "No, no, there was not."

Dave Boyer: "That's all."

George Simler: "Thank you. Right side of the room, anybody over there wishing to speak against the proposal? Left side?"

David Lupke: "My name is David Lupke, I am a resident of the West Central neighborhood, and I am also a downtown business man. First of all I would like to address the issue of highest and best use of land. This is the argument that was used for demolishing the buildings for the parking garage. I once considered the fact that within a distance of a block you have ground level parking, open parking lots, that can hardly be considered the highest and best use of land when there are no buildings. Perhaps the parking garage could be built at that site, simply a block away, an easy walk. The fact that the Patterson Fletcher Building is being renovated, has been renovated, the Cunningham Optical Building has been renovated, those are within the block as well, is an indication that there is a trend towards renovation in the area. The buildings that are currently standing do have tenants, if you go down to those buildings any noon business day you'll see a lot of activity in those restaurants particularly. I, as a downtown business man, like to frequent those restaurants because they're within walking distance of my office, and walking distance of many people's office. Demolition of those buildings would be reducing the amount of retail space in the neighborhood in that area. That retail space is inviting to the public, perhaps not this particular retail space, because there is some neglect and deterioration, but retail space in general is inviting to the public and encourages people to come down, encourages the pedestrian traffic. Business people use the restaurants there, the bus traffic uses the restaurants there, they are serving a purpose, they are serving a need for the area. I feel that there are within reasonable means you could improve architecturally the Facades of those buildings, improve the structures of those buildings to make them sound again. With the trend toward renovation that may in fact occur within a short period of time. Again, I would like to stress that the Commission consider the options of building a garage at another site, particularly a site that has no buildings currently. There would not be any demolition costs, and it would be a better utilization, a higher and better use of that land for parking or other purposes. Thank you."

George Simler: "Thank you. Right side of the room, anyone wishing to speak against? Back to the left, anyone on the left side of the room wishing to speak against the proposed? I see no one, I'll go back to the right side, back to the left, I don't want to leave anybody out. It looks to me we've pretty much exhausted that group. We will then go to those wishing to speak in favor of the project. And we'll start again on the left side of the room, anyone wishing to speak?"

Tom Ellis: "Hello, my name is Tom Ellis, I am a resident of Fort Wayne Indiana community, and also a property owner on 103 W. Berry. And I'm here to speak in favor of the parking garage. We've had the building for five years now and we've been trying to find a high use tenant for the building for five years. We failed on many attempts to lure some good businesses and the main complaint has been parking, close parking. There is parking downtown, but we are kind of a convenient society, and if they have to walk more than a couple of blocks there not interested in our property. So, I'm here to speak in favor of the parking garage in that location for my benefit. As a business owner, I am also aware of the hardship of the tenants that are there in relocation, so I'm also here to speak that they are fairly treated in any moving expenses. Thank you."

George Simler: "Thank you Tom. Any questions? Right side of the room, anyone wishing to speak in favor of the proposed?"

Al Zacher: "My name is Al Zacher and I've been a commercial real estate broker in Fort Wayne for thirty years. I'll just address the topic of physical obsolescence if I could, and I'll point out Cunningham Optical, and Patterson Fletcher Building as an example of buildings that are not so physically obsolete that they didn't allow the investments that one witnesses. I have experienced many offerings of both the G.C. Murphy Building and some of the buildings that are now vacant on the northwest corner. I have offered these to various tenants throughout the midwest and problems of the expense of elevators, air conditioning, building codes, and remodeling windows. All of these taking into account a very small foot print, piecing together buildings that have different floor elevations, they simply have not been economically sound private sector for rehabilitation. Further, the very nature of the improvements in the northwest block have, and I say this hopefully discretely, discourage larger investments, in particular, level of improvements have not even enticed others to make larger investments. The northwest corner has discouraged investment there, and we've also found that for those who have considered the northwest corner vacancies and the level of improvements that caused a diminished interest. Thank you."

George Simler: "Anyone on the left wishing to speak in favor of the project? Anyone on the right wishing to speak in favor of the project?"

Wallace Sterling: "My name is Wallace Sterling, I am an agent with Roth & Wehrly Realtors and a Marketing Representative for Midtowne Crossing Condominiums. Two of the major questions that the prospective customers would ask is, "what's going to happen to the buildings north of Midtowne", we're talking about the northeast and northwest corners, and secondly, "what's going to happen to my resale value if I had wanted resale in the future?" Since the first of August we have sold 19 units, of the 19 units 10 of these units can be attributable to the announcement of the INB and parking garage. I think this program will enhance, and can enhance the Midtowne Crossing program. Thank you."

George Simler: "On the left side, anyone wishing to speak in favor of the project? On the right side."

Tim Breuning: "My name is Tim Breuning, I am president of Light & Breuning. Our firm operates 25 surface parking lots in downtown Fort Wayne. I am here to speak in favor of the development of the garage. I believe that the garage will contribute to further progressive development in downtown Fort Wayne in three primary ways. Our recent surveys of parking demand indicate that there is a shortage of covered parking within a one block radius in the development area. Existing businesses within a one block radius of the development area are presently undeserved. Secondly, prospective tenants for the commercial space on the first floor of Midtowne Crossing need, but do not have, close covered parking for their employees and their tenants. Thirdly, occupancy at INB Center will create a demand for parking that cannot be served by

the existing supply of covered parking. And so I believe these three reasons demonstrate the need for this parking garage and the benefits that it will provide for downtown Fort Wayne. Thank you."

George Simler: "Thank you, any questions. Left side, anyone wishing to speak in favor? Right side?"

Steve Wesner: "I'm Steve Wesner, CEO of Goldstine, Inc., I have three points that I would like to make by way of justification of my comments. I've been in the commercial real estate business in Fort Wayne for thirty years. This is the fourth downtown Redevelopment Project that I've lived through and been involved with, relocating many of the businesses from the other previous three, including this building now stands. I had a listing on the corner 60 ft. by 70 ft. of the G.C. Murphy Building for a year and a half. I've had the listing on the Midtowne Crossing commercial units since the first of the year. Until the announcement of the INB Center parking garage we did not have a single unit spoken for in Midtowne Crossing, nor did we have anyone else interested in the portion of the Murphys Building that we were involved in. Working together with Mr. Zacher, there just were not any prospects for that building. The two things that we kept hearing over and over as objections to the commercial units in Midtowne Crossing and to the G.C. Murphy Building were: (1) there was not enough parking downtown and (2) with people we were showing the Midtowne commercial units, and that was the blighted or obsolescence and deterioration of the buildings on the northwest quadrant of Calhoun and Wayne. I think that if any of you ever stood in a Midtowne Crossing unit and looked across Wayne Street watching the pigeons going in and out of the upper floor windows and the boarded up first floor windows in the large section of aluminum siding falling off of one of the other buildings, or stood across the street and looked down on the west side of Calhoun Street, you can appreciate the comments that we had from most people. And that they would be afraid to invest the kinds of money it would take to open a business and fixture it with the amount of vacancy in that block to the north and with the condition of that block. We think, and I mentioned this the last time, I had a company out of California who was interested in 4,200 sq. ft. of Midtowne Crossing and their sole reason for not going there was because of the condition of the block to the north. Once the announcement was made as everyone knows, we have had several letters of intent from companies who are not being displaced from the project, as well as several others who are in that block. The interest and intensity, including the people from California, the day after the announcement, I received a call from them to confirm what they understood to be the announcement that there really was going to be this project, or at the least the possibility of it, and that they could be reinterested in the 4,200 feet at Midtowne if that situation to the north changed. The buildings in the specific area where the parking garage would go, I think there is both economic obsolescence and physical obsolescence. The average space along Calhoun Street there are 20 x 60 ft. stores, in order to comply with today's building codes, and fire codes and have the fire escapes, and 5 ft. stairways and all that is required by those codes, and in some cases two exits which are virtually impossible because there is no back way out of most of those buildings. If a fire escape is put in order to make the second floor useful, for any kind of office occupancy the first floor of course would have eaten up the width of the stairway, which would reduce the selling area on the first floor, and then of course reduce the rental rate. It will also eat up the same amount of space out of the second and third floor, and for the rest that can be obtained, and the cost of the development and renovation of those spaces, the rent just isn't there to justify the expenditures. And today with the banking situation the way it is, of course we all know you can't borrow dollars for a project unless it is totally cash flowing and the rents that those projects could generate just aren't there. That would create the economic obsolescence. The physical obsolescence is just like to quote Rod Howard to occupy a building on Wayne Street. The buildings are just too tired, most of them have fieldstone foundations and many of those foundations aren't even

mortared, they just lie in place, the buildings just aren't physically or structurally capable of a massive project that will make them viable for a long term haul. Certainly, someone could go in there and spend some money for a couple of years, maybe three years lease, but in looking at the long term project, one building, two buildings being fixed up, isn't going to take care of the problem on the entire block. The third point I would like to make, I keep hearing various things on the news reports or reading them in the paper and not just stories in the news media, because they only report what is told to them, but recently last week on both the 6 p.m. news, the 10:00 p.m. news, and three times the next morning, it was reported that the Bus Stop Restaurant was being displaced after six years in business. I would like to refute that statement, at the time that we obtained the option to purchase the property occupied by Bus Stop, it was vacant, there was no lease, no rent, and the liquor license was in suspension. Subsequently, the owner of the tavern came to the owner of the real estate and requested to be able to rent it. The owner of the real estate indicated that the building was under an option for purchase and the only way it could be leased was on a month to month basis. Cancelable on thirty day notice, and that is the way that a lease was structured, and they were not displaced by this project as we heard at least five times on the news. They had been there, I wouldn't dispute the fact that the Bus Stop may have been there 5 1/2 years prior, but the point is, they went back in there after the lease expired knowing that the facility was under contract to be purchased and that the lease could be canceled on thirty day's notice and in fact, had the option and moved out prior to the thirty days notice being given to them. Thank you."

George Simler: "Left side of the room, anyone? Right side?"

Mike Gouloff: "My name is Mike Gouloff, I am President of Schenkel & Schultz Architects Engineers, as you know from our previous testimony, Schenkel & Schultz and our sister company Construction Control are designing and will be building pursuant to approval of this INB Center project and the parking garage. We also will be one of prime tenants taking over 15,000 sq. ft. of floor space in this building. I feel that it is very important to speak with you about the reasons that a business like ours will relocate in a project like this. We have been in the suburbs for well over twenty years and want to move back downtown, but to do that and to commit the kinds of resources and money that are required for that kind of a move, we have to look for a number of things, very prudent what they are. Parking and blight, one of the two key issues that we have to deal with, and we need to have parking that is close for a number of reasons, safety probably being the primary reasons. Parking in this project is where it needs to be, where we want it to be. The other key factor in determining whether we will move is the local environment. What are the buildings like around, is it stable, we're going to make a major commitment, a long term commitment, because we don't jump around every two or three years. We want to be in this location for a long period of time and we want to know that the environment that we are putting our business and our employees in is going to be stable. I think that it is safe to say that the environment on the northwest, a piece of property that's associated with this project is not a stable environment, its been testified to that it is a blighted area. I am an architect, and have been registered in the State of Indiana for seventeen years, and I've been in practice for that amount of time. I am registered in twenty-three states across the county and believe me, those buildings are blighted by my definition as an architect, those buildings are blighted. They are functionally obsolete based on today's standards at the level of development that we would all like to see there. My experience tells me in projects that we have done like renovations of those buildings indicate to me that to convert those buildings into Class A space, which is what we will be doing in the G.C. Murphys Building, the INB Center project. The capital expenditure required just for construction costs, let alone all the soft costs, like land acquisition and so on, would be well over \$150.00 per sq. ft. for the building. And that's based on projects that we have under our belt and we know."

You get into one of these buildings, you plan on foundation problems, you plan on replacing major structural components in the building, if there steel or iron they are going to be rusted. If they're wood, they're going to be dry rotted and your going to have to take them out. You will literally have to take major components and portions of the masonry down, the mortar will have been in a condition for many years where it is literally sand, there is not cement left in it, it's all bleached out, it's all disappeared. The natural processes that were used to make these buildings just have allowed them to deteriorate. It would be an incredibly expensive proposition to try and renovate these buildings and make them Class A space."

George Simler: "Mr. Gouloff can I ask you a question? When would you find a historic building or an older building not obsolete then by those standards? Or would you classify them all as obsolete?"

Mike Gouloff: "If you want to make a building Class A office space or Class A retail space or Class B, Class C, whatever you want out of it, generally on a building of this age is a matter of how much you have to put in it. If you wanted to take these buildings and do a facade, look, there are grants available to do that, and that would get you by for a few years. If you want to take the buildings and revitalize them, rebuild them so that they regain substantially useful life, so that you can amortize that investment, then you'll have to decide what level that is. If you want to do a high degree of stability for a long term, then you're going to spend a lot of money on it. I do not believe that buildings of this age cannot be renovated, we have done it. All I'm here to say is that they are very expensive to renovate, and you have to have passion for it, it's more than economics when it gets to this case. You have to have a passion to do that, and there hasn't been a passion to do it, they've been sitting there for good god knows how many years. So you need to have that when you're looking at a project like Union Station down in Indianapolis, that didn't make good economic sense, I don't think they've made any money on it yet, but there was a passion. There was a lot of public money put into that, that's what it takes to make these things work. Financially, if you went around the United States renovating historic structures or buildings of this age, whether there historic or not, renovating them and turning them into usable office retail residential space, you'd go broke, you just couldn't do it in todays market. There are a number of components that we have to look for to move our business, image, the image of the area going to be like, what is it going to cost us, is it going to be within the reasonable limits of what we can afford to pay, parking, is it spaced right, is it conveniently safe. The INB Center project meets all of our requirements, without all of the components we will not do it, it's just that simple. I'll be happy to answer any questions you may have."

George Simler: "Thank you. Left side, anyone wishing to speak for the project. Yes Ma'am."

Bonnie Taylor: "I have some mixed emotions on this one so I'll just address it at this time. My name is Bonnie Taylor, I spoke last time, I was one of the first speakers opposing. I can't say I've changed my mind. I am not saying that I am for or against it, but I think that a City of this size, we can see that there are various peoples with various needs. I look at this whole project as a project that a couple of people are trying to get something accomplished, that's fine and good. But, by the same token you have to remember the people who own the property, who own the businesses who are at stake, and we've been admonished today not to repeat ourselves from those things that were said last month. However, I've been hearing a little bit of that so I wanted to take the opportunity to speak on this myself. One of the things that I am hearing from Mr. Gouloff is that there are several things that they need in order to make this project go, that's fine, I can understand that, I am an entrepreneur, I can understand that. However, I also know that if you want something and it belongs to somebody else, you have to come to an agreeable meeting place, you

cannot take it, you cannot void them, you cannot be unfair. If you do, then that falls under the guise of a ??? mentality, and we cannot afford to walk away from this with that in mind, we should not have that type of mentality. There are lots of small businesses down there, but we do have to remember as one of the gentlemen here stated "they have a high degree of traffic during the noon hour, those businesses are only open during that time period because that's the time that downtown Fort Wayne is active. There really is no point being open for the dinner hour, but for lunch, that's the time that there open. We have to remember those people, we cannot take away their livelihood, we have to remember what they have at stake, what their investments are, that goes for those who own the property, there are some who have not put anything into their building, they have simply sat back and coasted. There are others who have pride, they've tried, and you say its a blighted area. I am not going to argue any of those points. The point I am trying to make and the point that my letter to the editor tried to make, and a portion of it was left out was that remember these people, it belongs to them, be fair with them, give them a fair shake with how they perceive they were using the property, and how they perceive they need to go on with their lives. Don't sacrifice them for Midtowne, Midtowne has had its chance. There has been some deficiencies and some problems there, don't take another quarter block and try to save an investment if your going to jeopardize some other people, give them all a fair shake and look at the whole thing. That's all I'm saying, I don't know if this quarter block has a chance of being saved, if it doesn't, look out for those who own it and were involved in it please. Thank you."

George Simler: "Thank you. Left side, anybody?"

George Huber: "My name is George Huber, and I am President of Murphy & Associates, the Developer of the proposed project, and I will try to be brief and not repeat anything. Basically, I just wanted to address the official position of the West Central Neighborhood District which we just heard tonight and certainly happy that they were willing to express their official position. There two comments on the position, I believe, were that we should explore another parking garage location. I believe in previous testimony I stated that we've looked at many numerous options, including as one was suggested, building on vacant land where the park is now, the One Summit Square Park. We and the majority of the city would not believe that it would be a good use, we also looked at putting it in locations where there were vacant land now. Obviously, that would be cheaper for us as a Developer, fortunately as Schenkel & Schultz stated INB our anchor tenant and the tenant that is allowing the \$15 Million Dollar investment happen, they would not go in a location without an attached, directly accessible parking garage, covered parking. I think that could evidenced by the recent developments in downtown over the last 25 years. The Standard Federal Building, One Summit Square, Fort Wayne Bank Building, and Renaissance Square. Secondly, the comment of the West Central Neighborhood, or the concern I should say, regarding this being cement and ugly parking garage, we are extremely aware of that also, not only because that's going to impact our new project as well as our existing buildings, but because relocation and the amount of the investment we're making it is not an investment that would want just a cement building. We are providing retail on Calhoun Street side, we're providing extensive landscaping on the Wayne Street side, and introducing elements, as I stated earlier, a marble, granite, and reflected glass into the parking garage itself. That's it. Thank you."

Dave Boyer: "Mr. Huber, would this project, both the INB and the proposed parking garage go without the participation of the Redevelopment Commission, land acquisition, and site preparation?"

George Huber: "No, it absolutely would not."

Dave Boyer: "Would you expand on that just a little bit."

George Huber: "Yes, the economics of the project of a parking garage is unfortunately not an economical project, the reason nobody likes to build them, the reason you find city parking garages in places in major cities is because you cannot build a parking garage and get the amount of rent out of the parking garage to amortize any sufficient portion of the cost of buying the land, demolishing the buildings, and building a garage. If we were not able to buy the land, have the ability to buy the land as a vacated parcel we would not be able to put the \$15 Million in the project."

Dave Boyer: "Thank you."

George Simler: "Anyone on the left. Anyone on the right wishing to speak for the project. We'll go back one more time, anyone on the left side, in favor, right side, in favor." That concludes the public hearing comments from the audience, now we will come back and we reserve staff time."

Dave Boyer: "Mr. Fletcher, we call you please. As part of your job as Director of the Redevelopment Commission have you been looking into the relocation provisions for anybody who would be affected by the acquisition of that real estate in the northwest quarter block?"

Ron Fletcher: "Yes - the Commission will approve a policy on the 14th as it relates to relocation. We have to adhere to state legislation, and the policy we approve is part of that state legislation. So we are strictly bounded by certain rules and regulations from the state."

Dave Boyer: "And as Director you are bound to follow the state law, and give everything permissible under law for relocation expenses."

Ron Fletcher: "Yes."

Dave Boyer: "Did you do some economic studies of the area? Some hypothetical situations to come up with an economic evaluation of the current viability of the property that is there?"

Ron Fletcher: "Yes I did."

Dave Boyer: "I believe your first study was what it would take to try to establish a base value, you created a value based on what it would take to replace this property with Class D buildings, is that correct?"

Ron Fletcher: "Yes."

Dave Boyer: "Would you explain a little bit what you mean by Class D buildings."

Ron Fletcher: "Realizing that these buildings would have to be done individually, especially on the northwest side of the project as far as the block is concerned. That, if individuals would renovate those buildings and bring them up to at least to a leasable form on the second and third floor and potentially the first. I wanted to try to allocate monies for that and be reasonable with the expectation and there would not be any elevators in any of those renovations. I went to a book called Marshall and Swift, looked under the grade of buildings, and the grade of buildings is mainly, really does not have any masonry, it's generally a stucco, and I was very conservative as it relates to identifying a figure that the owners now could use to renovate those buildings. I came up with a \$45.00 sq. ft. and again realizing that there is no elevators in these particular buildings and in that cost any how. There is approximately 140,448 sq. ft. in both the northwest, northeast, multiplying that times the \$45.00 per sq. ft. we're looking at \$6,680,000 for renovation, if the owners renovate them completely, and the buildings were usable to a level that they had an opportunity to lease all floors not just the first floor."

Dave Boyer: "What would the total annual debt service on that \$6,680,000 be per year, service and mortgage due, borrow that money for the renovation."

Ron Fletcher: "I used an interest at 11.5%, the number of years amortized over a 15 year period, with a present value of \$6.680,000, your annual debt service would be \$954,700."

Dave Boyer: "What does that work out to per sq. ft?"

Ron Fletcher: "If we consider \$148,448 sq. ft. divide that into that figure, we're looking at \$6.43 per sq. ft."

Dave Boyer: "Based on the lease figures that were available to you, and what you know about rentals in the existing area, can you tell me what the square foot net income generated by the existing structures in their present condition."

Ron Fletcher: "There is approximately 29,980 sq. ft. occupied right now, as far as a stream of revenue, effective gross income for that rent now is \$112,810. I only subtracted out of there taxes and insurance, I did not consider any replacement allowance and I came up with a net operating income of \$46,460, and if you take \$148,448 and divide that into that figure your looking at that particular project as it sets right now generating \$.31 per sq. ft."

Dave Boyer: "So based on your experience would you say that a project that only produces 5% of the required revenue to service the actual expense of building a project, would you say that is economically viable or not?"

Ron Fletcher: "No, I wouldn't invest."

Dave Boyer: "I have no further questions."

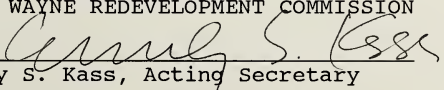
John Wernet: "Do you have copies of the public notices that were published in the newspapers for this hearing?"

Ron Fletcher: "Yes we do."

George Simler: "That concludes the public hear portion of tonights meeting, I wish to thank everybody for attending, it's pretty hot in here, tough to bare. I also wish to thank those who spoke tonight, I think while there was some repetition, I don't think anything was said was not important to our consideration, so we thank you all very, very much. You all conducted yourselves well, and thanks again for your various view points, your welcome to stick around for the regular meeting if you wish or your welcome to leave. We will take a 5 minute break here before we begin.

With no further business to discuss, Mr. Simler made a motion to adjourn the public hearing, second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION


Emily S. Kass, Acting Secretary

ADOPTED: November 13, 1991

**FORT WAYNE REDEVELOPMENT COMMISSION
EXECUTIVE SESSION
MINUTES
NOVEMBER 13, 1991**

TIME: 4:30 p.m.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Kim A. Zuber

MEMBERS ABSENT: R. Steven Hill and Emily S. Kass

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Dick Thompson, Summit Bank

CALL TO ORDER

Mr. Simler called to order this Executive Session of the Fort Wayne Redevelopment Commission.

ROLL CALL

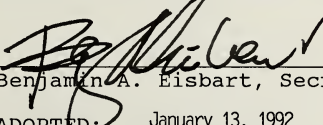
Mr. Simler noted that Emily Kass, and Steve Hill were not present at this meeting.

Discussion of pending litigation 5-14-1.5-6 (b) (2) (B) and purchase or lease of real property 5-14-1.5-6 (b) (2) (D)

Pending litigation 5-14-1.5-6 (b) (2) (B) and purchase or lease of real property 5-14-1.5-6 (b) (2) (D) was discussed.

With no other business to discuss the Executive Session adjourned.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: January 13, 1992

**FORT WAYNE REDEVELOPMENT COMMISSION
SPECIAL MEETING
MINUTES
NOVEMBER 13, 1991**

TIME: 3:30 P.M.

PLACE: City-County Building, Room 106

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Kim A. Zuber

MEMBERS ABSENT: Emily S. Kass, R. Steven Hill

STAFF PRESENT: Ronald R. Fletcher, James C. Lindsay,
Loren Kravig, Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

OTHERS PRESENT: Mark Gensic, City Engineer
Members of CORE

CALL TO ORDER

Mr. Simler called to order this Special Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

Mr. Simler noted that Commission Members Emily Kass and Steve Hill were not present.

APPROVAL OF CLAIMS

Mr. Eisbart made a motion to approve the August and September 1991 Claims, second by Mr. Zuber.

APPROVAL OF MINUTES

Mr. Zuber made a motion to approve the August 21, 1991 special meeting minutes, September 9, 1991 regular meeting minutes, September 9, 1991 public hearing transcript, October 7, 1991 special meeting minutes, and October 7, 1991 public hearing transcript

OLD BUSINESS

Resolution 91-67

Approving displaced person relocation rules and procedures

Mr. Fletcher noted to the Commission that according to Indiana Code 8-23-17-23, the Commission is authorized to establish relocation rules and procedures necessary to assure that payments and assistance authorized by this Chapter are administered in a fair and reasonable manner. Mr. Fletcher went on to say that the Commission staff and attorney prepared relocation rules and procedures consistent with the intent of Indiana Code 8-23-17-23. Mr. Fletcher mentioned that at a previous meeting said relocation rules and procedures entitled "Businesses, Nonprofit Organizations and Farm Relocation Rules and Procedures," was discussed with the property owners and tenants in the proposed INB Center project area. Mr. Boyer added that the state laws have certain restrictions, and in accordance with state law, where the application of those restrictions is more restrictive than the federal law, those state restrictions must be adhered to. However, where there are no state law restrictions, the federal rules apply. Mr. Boyer noted that most of the "caps" in the Relocation Rules and Procedures are state mandated.

Mr. Zuber made a motion to approve Resolution 91-67, second by Mr. Eisbart.

NEW BUSINESS

Baker Street Station Bid Opening

Mr. Fletcher opened and announced to the Commission that the first bid to be opened was submitted by S.E. Jahn & Company, with a 20 year warranty is \$193,100, their second bid with a 12 year warranty is \$118,900. The second bid to be opened was from R.L. Kelley, with a 20 year warranty of \$135,590, second bid with a 12 year warranty is \$123,280. The third bid was from C. L. Schust, Inc., with a 20 year warranty of \$199,742, second bid with a 12 year warranty is \$194,742. The fourth bid was from Pettigrew Professional Roofing with a 20 year warranty of \$178,362, second bid with a 12 year warranty of \$164,849.

Mr. Simler noted that the Commission would take action on the bids at the next scheduled Commission meeting after a review by staff and the project architect.

Troy Towel Development - Ralph Jones

In Mr. Jones' absence, Mr. Fletcher explained to the Commission that according to the Commission's Development Agreement with Troy Towel, the property north of his business, was supposed to be used for the construction of an expansion to his building. This expansion was to be completed by July 1991. Mr. Jones is now requesting to amend his contract to allow the expansion west of the Troy Towel building. Mr. Jones was expected to be at the Commission meeting to explain his request. The Commission agreed to defer the request until Mr. Jones is able to attend the Commission meeting.

Resolution 91-70

Ratifying the selection of an Architect for the stabilization of the Baker Street Railroad Station

Mr. Fletcher explained to the Commission that since the Commission has acquired the Baker Street Station, it is necessary to stabilize the station until its development. Mr. Fletcher has solicited proposals, and received five (5) responses: Bohlen, Meyer, Gibson & Associates, Inc., with a bid of \$14,000; Stevens, Lobsiger & Associates, Inc., with a bid of \$18,750; Gibson, Tournay, Kim, Inc., with a bid of \$21,750; Reifsnider & Leonard with a bid of \$30,000; and Grinsfelder Associates Architects, Inc., with a bid of \$10,733. After carefully reviewing each of the proposals, staff recommends the services of Grinsfelder Associates Architects, Inc., to perform the architectural services necessary to stabilize the Baker Street Station.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-70 was approved.

Resolution 91-71

Ratifying the selection of Ronald Lunz to secure the windows at the Baker Street Station

Mr. Fletcher informed the Commission that the station's windows have been subject to repeated break-ins, and it is necessary to secure those windows to prevent theft, vandalism, personal injury and property loss. The funds to secure the windows are available through Community Development Block Grant. Staff solicited proposals to secure the windows at the station, and two (2) bids were submitted. Louis Lee Lengacher & Son, Inc., with a bid of \$4,975.00, and Ronald Lunz with a bid of \$1,830.00. After carefully reviewing each of the bids, staff recommends the services of Ronald Lunz with the lowest and best bid of \$1,830.00.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-71 was approved.

Resolution 91-72

Ratifying the selection of R&C Fence, Inc., to erect a fence at the Baker Street Railroad Station

Mr. Fletcher informed the Commission that the railroad elevation provides easy access to the station's roof, and staff recommends installing a fence to prevent theft, vandalism, personal injury, and property loss. The funds to secure the building are available through a Community Development Block Grant. Staff solicited proposals, and received two (2): R & C Fence, Inc., with a bid of \$3,100.00 and Gleave Construction, with a bid of \$3,330. Staff recommends the services of R & C Fence, Inc., with a bid of \$3,100.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-72 was approved.

Resolution 91-73

Ratifying the selection of ATEC Environmental Consultants to conduct a survey of the Baker Street Station.

The Baker Street Railroad Station is believed to have asbestos containing materials present and staff is requesting that a bulk asbestos survey be performed to determine the amount. The funds to perform the services are available through a Community Development Block Grant. Staff has solicited proposals from two (2) environmental consulting firms, ATEC Environmental Consultants with a bid of \$2,725.00, and Micro Air, Inc., with a bid of \$3,400.00. Staff recommends the services of ATEC Environmental Consultants to perform the survey.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-73 was approved.

Resolution 91-74

Ratifying the selection of a testing company for the Baker Street Station

The roof at the Baker Street Station is in need of replacement, and before replacing the roof it is essential to have samples of the roof tested to determine their composition. Staff solicited quotes from three (3) testing firms. ATEC Environmental Consultants submitted a quote of \$50.00 per sample, Micro Air, Inc., at a quote of \$25 per sample, and EIS Environmental Engineers, Inc. submitted a quote for \$30.00 per sample. After reviewing each of the bids, staff recommends the services of Micro Air, Inc., to test two (2) samples at an amount not to exceed \$50.00, and EIS Environmental Engineers, Inc., to test seven (7) samples at an amount not to exceed \$210.00.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-74 was approved.

Resolution 91-75

Declaratory Resolution Jefferson/Illinois Road Economic Development Area

On August 28, 1991 the Commission entered into an agreement with the developer of the Apple Glen project and the City. The Commission agreed to provide certain services during negotiations, such as investigating the area, declaring it as an economic development and tax allocation area, and financing certain public improvements through tax increment financing. The agreement states

that the Redevelopment Commission will only be involved in the off-site improvements. The developer will handle the on-site improvements and some off-site improvements. Mark Gensic, City Engineer reported that the City plans to re-open two westbound lanes of traffic on old Illinois Road, and undertake improvements to the intersextions at Illinois and Jefferson and Jefferson and Ardmore. The developer will take care of all the signalization.

A representative of CORE addressed the Commission by stating that CORE is pleased with the proposed project, and would like to request that the Commission consider looking at some of the other roads that are in need of repairs. Mr. Gensic addressed the issue raised about the roads, by informing the CORE Member that the City has a prioritized list of proposed improvements in that area, and that they cannot all be undertaken at one time. The developer has a prioritized list of improvements as well, in addition to recommendations submitted by CORE.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-75 was approved.

Midtowne Crossing Project - Residential Sales/Commercial Leases, etc.

Jim Lindsay reported to the Commission the status of the residential condominium sales at Midtowne Crossing. To date 41 of the historic units have been sold and closed, 12 of the historic units remain unsold, however, there are valid purchase agreements on two of these. Of the 51 non-historic units, the same 3 remain sold and closed, 48 remain unsold, and there are valid purchase agreements on 2 of the new construction non-historic residential condominium units. The sales effort, according to Tom Cheviron, the Agent from Roth & Wehrly Realty, is going well. In the month of October and early November, he closed alot of deals. The level of sales has slowed down a little bit, but he anticipates that once the Murphy project comes on line, along with the construction of the new park at One Summit Square, interest will pick up considerably.

Resolution 91-76

Allowing the designation of property as an Economic Revitalization Area for the Hot Realty Company

The Hot Realty Company is requesting that the Commission designate their property located in Centennial Park as an economic revitalization area. State law requires that the Redevelopment Commission approve or disapprove of properties located within an urban renewal area being designated as economic revitalization areas.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-76 was approved.

Resolution 91-77

Approving an extension to the Exclusive Listing Agreement with Roth & Wehrly Realtors

Ron Fletcher informed the Commission that the Exclusive Listing held by Roth & Wehrly Realtors for the residential condominiums at Midtowne has expired effective October 31, 1991. Staff is requesting to extend the services of Roth & Wehrly Realtors until February 29, 1992, so as to allow the continued sales, marketing, and leasing of the non historic residential condominiums at Midtowne Crossing.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-78 was approved.

Resolution 91-78

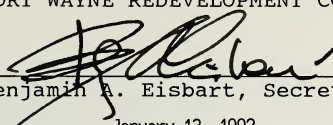
Approving an extension to the Exclusive Listing Agreement with Goldstine, Inc.

Mr. Fletcher stated that Goldstine, Inc. has the Exclusive Listing for the commercial retail space condominiums at Midtowne Crossing. Effective October 31, 1991, the agreement with Goldstine, Inc. expired, and staff is requesting to extend that contract until February 29, 1992, in order to allow the continued sales, marketing and leasing of the non historic and historic commercial retail space.

On a motion by Mr. Zuber, second by Mr. Eisbart, Resolution 91-78 was approved.

With no other business to discuss, Mr. Simler moves to adjourn the November 13, 1991 Commission meeting, second by Mr. Eisbart.

FORT WAYNE REDEVELOPMENT COMMISSION



Benjamin A. Eisbart, Secretary

ADOPTED: January 13, 1992

FORT WAYNE REDEVELOPMENT COMMISSION
REGULAR MEETING
MINUTES
NOVEMBER 18, 1991

TIME: 5:00 P.M.

PLACE: City-County Building, Room 128

MEMBERS PRESENT: George F. Simler, III, Benjamin A. Eisbart,
Emily S. Kass, Kim A. Zuber, R. Steven Hill

STAFF PRESENT: Ronald R. Fletcher, Loren Kravig,
Kim Romes-James

COUNSEL PRESENT: R. David Boyer and John J. Wernet

CALL TO ORDER

Mr. Simler called to order this Regular Meeting of the Fort Wayne Redevelopment Commission.

ROLL CALL

All Commission Members were present.

NEW BUSINESS

Resolution 91-79

Approving the selection of a contractor for the stabilization of the Baker Street Railroad Station.

Alan Grinsfelder, the Architect of the project, has reviewed the bids, and recommends the services of R.L. Kelley Company with the lowest and best bid of \$135,590.00 for a 20 year warranty. The funds to undertake construction are available through a Community Development Block Grant. After a brief discussion, the Commission approved the selection of R.L. Kelley Company to provide the materials and labor necessary to replace the roof at the Baker Street Station, subject to HUD's release of funds, execution of a standard form of agreement between the contractor and the Commission, and fulfilling the requirements of the Contract Compliance Office.

On a motion by Mr. Eisbart, second by Mr. Zuber, Resolution 91-79 was approved.

Resolution 91-80

Selecting Financial Consultant for Illinois/Getz Road Economic Development Area.

Mr. Fletcher informed the Commission that an Request For Proposal went out in November for a Financial Consultant for the Meijers Project. Mr. Fletcher noted that the RFP was sent to three (3) consulting firms and all three firms responded. A breakdown of the services that each of the consulting firms would be offering was provided to the Commission. Mr. Fletcher handed out a letter that he sent to Evensen Dodge/Springsted, Inc. regarding their billing for the last contract in the amount of \$45,506.62. Mr. Fletcher felt that the Commission was being over charged. Evensen Dodge has responded to staff's request, and has agreed to adjust the amount to \$34,199.02. Since Evensen Dodge/Springsted has responded to this latest RFP from the Commission, staff felt it necessary to inform the Commission of the prior circumstances.

Evensen Dodge, Inc.'s basic professional services total \$13,375.00, with an adjustment for a bond issue of \$1.6 M or above, plus reimbursement for out-of-pocket expenses. Municipal Consultants has offered their professional services for \$19,500, plus out-of-

pocket expenses. Umbaugh & Associates offered its services for \$15,000 for a negotiated private placement and sophisticated investor's letter and a breakdown of additional expenses if alternative methods of sale and/or preliminary and final official statements are required. After a brief discussion, the Commission, staff, and Commission attorneys agreed that a motion should be made to select a consultant subject to further negotiations between Evensen Dodge and Municipal Consultants. The Commission agreed that staff and the Commission Attorney negotiate with Municipal Consultants and Evensen Dodge and select the lowest and best bid.

On a motion by Mr. Eisbart, second by Mr. Simler, Resolution 91-80 was approved subject to further negotiations with Municipal Consultants and Evensen Dodge and Executive Director selecting the lowest and best bid.

Resolution 91-81

Approving Agreement with Summit Bank

Mr. Fletcher informed the Commission that over the last couple of months, he has been trying to figure out a way to minimize the Commission's staff time devoted to Midtowne Crossing. Summit Bank has expressed a willingness to become the successor developer to Midtowne Crossing Associates, Inc. Mr. Fletcher went on to say that Summit Bank has agreed to take on more responsibility for the management of the project. A Letter of Understanding has been prepared between the Commission and Summit Bank. In which Summit Bank agrees to market, lease, sell, and manage the project, and take on additional financial responsibility for the commercial and residential condos. Mr. Fletcher presented Midtowne Crossing financial, Summit Bank agreement summary, cost benefit analysis, and additional issues (Exhibit A). At present, the Commission owns the new residential condominiums, the commercial units, and parking garage, all governed by the Midtowne Crossing Horizontal Property Regime, and the Vogue Building, adjacent to Midtowne Crossing. Summit Bank holds a mortgage on all of the residential units and the commercial units. After a brief discussion, the Commission agreed to proceed with drafting a development agreement between the Commission and Summit Bank.

On a motion by Mr. Hill, second by Ms. Kass, Resolution 91-81 was approved.

Resolution 91-82

Approving an amendment to Resolution 91-66, Adopted by the Commission on September 9, 1991

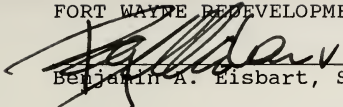
Mr. Fletcher explained to the Commission that on September 9, 1991, the Commission adopted Resolution 91-66 which authorized an expenditure of \$1400.00 to repair the water fountain at Summit Park. In the interim, the President of the Summit Park Business Association received a bid of \$1,092.43 from Votaw Electric and authorized Votaw to begin the work. Staff is requesting that the Commission amend Resolution 91-66 to reflect the selection of Votaw Electric, instead of Summit City Electric in an amount not to exceed \$1,092.43 for the repair of the Summit Park water fountain.

On a motion by Mr. Eisbart, second by Ms. Kass, Resolution 91-82 was approved.

Mr. Boyer announced that the Commission was awarded a judgement today in the case of Taylor et al. vs. the Fort Wayne Redevelopment Commission. The Commission won the case.

With no other business to discuss Mr. Simler moved to adjourn the November 18, 1991 Commission meeting, second by Mr. Hill.

FORT WAYNE REDEVELOPMENT COMMISSION


Benjamin A. Elsbart, Secretary

ADOPTED: January 13, 1992

EXHIBIT "A"

MIDTOWNE CROSSING FINANCIAL

Developer Funding:

Mortgage	\$ 6,200,000
TOTAL.....	<u>\$ 6,200,000</u>

Redevelopment Commission Funding:

1983 Redevelopment G.O. Bond	\$ 1,800,000
1986 TIF Bond	\$ 3,200,000
Vogue Building Advance	\$ 290,000
Additional Appropriation	\$ 260,000
Washington Blvd. trees/misc.	<u>\$ 3,400</u>
TOTAL.....	\$ 5,553,400
Less: 104 space parking garage	-500,000
Less: Vogue Building	<u>-200,000</u>
TOTAL.....	\$ 4,853,400

MIDTOWNE CROSSING ESTIMATED VALUE

	Staff Estimate	Appraisal 10/91
48 Non-historic Residential Condos (list price less \$5,000/condo; less 10% discount, marketing, and closing costs)	\$1,924,200	1,718,000
12 Historic Res. Condos (list price) (less 10% discount, marketing, and closing costs)	\$582,930	498,412
30,000 sq. ft. retail	\$1,065,000	1,065,000
TOTAL.....	\$3,572,130	3,281,412

COST BENEFIT ANALYSIS

Benefit to Commission:

1. Retain parking garage, 104 spaces \$ 500,000
2. Retain Vogue Building \$ 200,000
3. Receive garage revenue 104 @ \$600/yr. \$ 62,400/yr.
4. No need to participate in commercial tenant improvements. \$ 150,000
5. Reduce staff time leasing, managing, and warranty work on project/staff reassigned to other projects.
6. Place project into private sector, Bank, hands so it can react quicker to private sector needs.
 - a. Not restricted by governmental regulations, e.g. prevailing wage rate or bidding requirements.
 - b. Ability to bring resources to table in negotiations
7. Summit Bank take responsibility
 - a. Lease, management, market, and sale project
 - b. Additional financial resource needs, e.g., additional \$5,000/residential, non-historic condo, \$240,000; commercial space improvements, \$600,000.
8. Project leased and/or sold quicker and thereby placed on the tax roll accordingly.
9. Legal fees reduced.

Cost to Commission:

1. No longer control project, market will dictate tenant mix.
2. Cost of garage management and maintenance.
3. Pay prorata share of utility and insurance.

MIDTOWNE CROSSING ISSUES

I. Unresolved Litigation

1. Robert Hudson vs. Midtowne Crossing Associates, Ft Wayne Redevelopment Commission, Summit Bank and others. Claims \$50,000. Commission's position is that this dispute is of dubious merit and should be resolved by Sheila and Bob apart from their desire to involve others. On January 28, 1991, Bob wrote two checks to himself on the checking account of the Midtowne Crossing Owner's Association which totaled \$2,150. His authority to act on behalf of the Owner's Association, including the writing of checks, had been terminated by resolution on January 23, 1991. These funds have not been repaid to the Owner's Association.
2. Kennedy Brown Architects vs. Midtowne Crossing Associates, Ft Wayne Redevelopment Commission, Summit Bank and others. Claims \$22,817.85. \$5,000.00 of this amount is the architectural contract balance which is owed Kennedy Brown by **Midtowne Crossing Associates**. The balance represents marketing and promotional expenses claimed by Kennedy Brown. Commission's position is that the Architect **did not finish his work on the project and should not be compensated the \$5,000 architectural contract balance until all work is complete**. Remaining items: as built drawings, error on Wayne St. address panel, final historic certification, warranty inspections.
3. General Electric vs. Kennedy Development Services, Ft Wayne Redevelopment Commission. This suit is based upon nonpayment of \$1,440.75 for appliances which were installed in Unit 303, the Lillie Building model. These appliances were ordered by the developer and represent a developer's obligation. Ron Fletcher and I spoke to G.E. **numerous** times about this situation, yet they still mistakenly included the Commission, in garbled written form, on the lawsuit.

II. Midtowne Crossing Associates unpaid contracts

1. G.T.E. Telephone cable installation: \$16,781.82.

2. Developer Ordered Upgrades

Carpetland USA	\$5,655
Waynedale Lumber (cabinets)	3,755
Custom Decorating	3,200
F & M Tile	213
Schmidt Electric	662

D & S Painting	709
<u>Leon Brown</u>	<u>298</u>
TOTAL	\$31,273

III. Potential Arbitration or Bonding Company Action

The legal counsel for the Commission is preparing a case against Charles C. Brandt & Company relating to their failure to pay for tests and expenses incurred in the re-installation of the light weight concrete in the Lillie building. The amount owed the Commission is \$6,700. The contractor addressed the issue of the concrete itself but declined to pay for any of the tests or other expenses that were a direct result of assessing the problem and correcting it.

MIDTOWNE CROSSING

SUMMIT BANK/REDEVELOPMENT COMMISSION AGREEMENT

Bank Responsibility:

1. Market, lease, sale and manage project
2. Take possession of real estate as it is leased or sold
3. Take responsibility for additional financial liability, e.g.;
 - a. Build-out commercial space, \$600,000
 - b. Complete non-historical residential units, \$5,000/unit
 - c. Pay Midtowne Crossing Association fees
 - d. Resolve Kennedy/Brown suit
 - e. Fund on-going expenses, e.g., utility, insurance, etc.
4. Agree Redevelopment Commission is to receive all funds from lease or sale of project above the bank's mortgage.
5. To make a good faith effort to continue to market, lease and sale project using the original use plans and the intent of the project.

Redevelopment Commission responsibility:

1. Agree to transfer real estate upon lease or sale
2. Continue to manage parking garage
3. Assist project management during transitional period, 90 days
4. Finalize contractor warranty work
5. Pay prorata share of Owner Association's electric expense, 10.5%.
6. Pay prorata share of insurance premiums.





TO LOCK
PERMANENTLY

← Push down spur
with a blunt
instrument. →

